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Presidential Power Game
IMPOUNDING CONGRESSIONAL POLICY
Sen. Frank Church

Burton Bendow 'Confessions of Edward Dahlberg'

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LETTERS

Sam Ervin's role

Rockville Centre, N.Y.

DEAR SIRS: Sam Ervin has engaged in a flurry of very commendable actions in defense of the Bill of Rights, but does not at all deserve to have it said of him [editorial, *The Nation*, Oct. 18] that he "is to the Senate what Justice Black was on the Supreme Court." Quite apart from the color question, male journalists seem to forget, or too readily to forgive, Senator Ervin's role in 1970 as the one man who blocked and then defeated the Equal Rights Amendment—after that long overdue instrument of women's liberation had been introduced by a majority of Senators and passed by an overwhelming majority of the House.

Howard N. Meyer

escalation analysis

Bryn Mawr, Pa.

DEAR SIRS: While I fully share David Deitch's political and social interpretation of Nixon's "new economic policy," and in this respect side with him in his exchange with John Yuccas [letter, *The Nation*, Oct. 25], I believe that the latter's economics is sounder. . . .

The fact is that our serious price inflation since 1966 is a direct outgrowth of the Vietnamese escalation and the sheer fiscal deception utilized by Lyndon Johnson to pay for it—the economic counterpart of the monumental political and diplomatic deceit that constituted the basis of his policies on Indochina. Rather than risk shattering his precarious "consensus" on the war in 1965 and 1966, the President lied about its true costs and stubbornly refused to request the necessary taxes to finance it during its period of most rapid expansion. . . . So as Johnson escalated militarily, federal "defense" expenditures skyrocketed accordingly—and there was no equivalent increase in taxes to soak them up and neutralize their buoyant effects on industrial sales and prices. . . .

The massive war spending was indeed the chief cause of the present round of inflation that began in 1966: "the war in Asia accelerated . . . the entire inflationary process," as Deitch himself grants. The faster accumulation of private debt, Deitch's focus of interest however, was—as Yuccas correctly implies—largely *an effect* of the inflationary expectations set in motion by the enormously expansive federal budgets after 1965. Business firms, especially the major corporations which can absorb higher interest charges much more easily than the rest of us, will purchase added plant and equipment as fast as they can, and use credit to do it, so long as they expect the prices of capital goods to be even higher next year—better now than later. . . .

I'm also puzzled by Deitch's resistance to the idea that pressures for wage increases can lead businessmen to take self-interested, compensatory action: namely, raising the prices of their goods and services to protect profit margins. . . . For me at least, it's hardly possible to find a more searing moral indictment of monopoly capitalism: the struggle of blue- and white-collar workers to obtain the fruits of their labor causes genuine problems for capitalists, so that when workers strive to obtain better living standards "management" grabs it all back from the consuming public at large by jacking up prices in order to maintain desired profit ratios. Such an analysis is "anti-union" only insofar as it undercuts positions taken by certain union leaders and trade union supporters, who apparently want to show that workers can gain as much as they need without overthrowing capitalist structures, and who therefore must argue that aggressive demands for higher wages cannot possibly be a contributing factor to inflation or any other capitalist contradiction. . . .

Richard B. Du Boff

EDITORIALS

'Rebellion Against Concrete'

Many articles, even many books, have been written to deplore the lopsided condition of transportation in the world's foremost technological nation. All this verbiage has had little effect: the automobile and the superhighway continue to swallow up the bulk of the country's resources in the art of moving people from one place to another. And this goes on despite the fact that the superhighway, by whatever name, quickly becomes an agony of congestion in metropolitan areas: the Los Angeles "freeways," a horrible example, are no more "free" during the rush hours than are New York City's subways at the same peaks.

But a change may be signaled by the action of the 2 million New York State voters who turned down Governor Rockefeller's (and Mayor Lindsay's) $2.5 billion bond issue for transportation. Those who say that the voters are simply against more governmental spending are no doubt right about a sizable percentage of the 2 million. But, after the debacle, Mayor Lindsay supplied a large chunk of the answer: he called it "a rebellion against concrete."

The issue was related to the federal highway program. That interstate system is not quite in a class with military spending—what is?—but it rivals the curtailed space program, or even what NASA would like the space program to be. And, like space, it has no definable limit—that is, as far as the road contractors and engineers and politicians are concerned; for a majority of the New York State voters it did have a limit.

In part, the vote was for mass transit and against mass concrete and the individual motor car. Voters have proverbially short memories, but in this instance many New Yorkers were still angrily aware that they had been gulled into voting for a bond issue in 1967, expecting to get significant mass transit relief. Indeed, a few station platforms on one or more commuter divisions of the Penn Central Railroad are being elevated to permit faster loading and unloading of passengers, but the overall situation remains unchanged. This time around the voters suspected that, although the Governor had dressed up the proposal to appear more acceptable to the battered subway riders and commuters, and had twisted the Mayor's arm into supporting the measure, it was the same old shell game.

In New York City it took a certain amount of courage to vote against the proposition—the voters had the Governor's pistol jammed into their ribs: vote "yes" or the subway fare will go from 30¢ to 45¢ or 50¢. Yet the measure carried only in Manhattan and the Bronx, and by small margins; the other boroughs buried it.

The resistance was the more admirable because the "yes" campaign was well financed and ended in a crescendo of spot announcements, commercials, large mailings, and the ludicrous spectacle of Rockefeller and Lindsay straphanging for the photographers. The opposition centered about a one-man ad hoc committee, Theodore Kheel, whose long experience in transit matters won him the deserved confidence of the public. Kheel, with no funds to speak of, did a splendid public relations job in the best sense. He used none of the devices of the cheap politician, but made himself unfailingly available to media requests,

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and knocked down the arguments of the bond proponents with good-tempered logic. Kheel's victory was one to hearten those who still have faith in democracy and the good sense of the people.

Road, Rail and Racism

The rebellion against concrete is not confined to New York; crushed to earth, reason is trying to rise in metropolitan areas around the nation. In the thriving city of Atlanta, *The Wall Street Journal* reports, Mayor Sam Massell circled over the usual afternoon rush hour, bellowing from a helicopter: "Frustrated? How would you like to be riding in a 65-mile-an-hour air-conditioned train instead of this mess?" Atlanta was in the midst of a struggle for a proposed $1.4 billion rapid transit system, consisting of a network of electrically powered rail cars (minimum pollution) and an expanded bus system provided with 14 miles of newly constructed bus lanes. Operating expenses would be spread out to reduce the fare to 15¢, from the 40¢ charge on existing lines. A rise in the sales tax from 3 per cent to 4 per cent would make up the difference.

The latter provision is itself a sign of enlightenment. The fact is that mass transportation at a price that low—which middle-income people can pay without hardship—cannot come from the fare box alone. It is also a fact that racism and other noxious factors play a concealed role in concrete-versus-mass-transit controversies. The *Journal* article (by Tom Herman) quotes from a letter published in a suburban newspaper: "If you want the drug pushers, muggers, rapists and other degenerates who are now stalking the streets of downtown Atlanta to invade your community, then vote for rapid transit. . . ." Georgia's Lieut. Gov. Lester G. Maddox took a similar stand, calling rapid transit a "corrupt, inefficient and immoral idea. [Its] main motive isn't transportation. It's . . . a scheme to accelerate the residential integration of our fine suburbs. It's a terrible crying shame." The argument for the insulation of the suburbs from the inner city has rarely been so baldly stated. But the scare tactic failed and Atlanta voters on November 9 approved the new rapid transit system.

In San Francisco, meanwhile, a federal district court judge has just issued a preliminary injunction against a $100 million freeway which would run exactly parallel to the tracks of the Bay Area Rapid Transit scheduled to open next year. "They won't even give it [rapid transit] a chance to draw people away from their cars," a spokesman for the anti-highway coalition said of the activities of "the road gang." So, here and there, slowly, the rebellion against concrete is beginning to gather momentum. [See article by Ben Kelley in *The Nation*, November 15.]

Betrayal in the House

The 231-to-126 vote by which the House adopted—in a highly emotional debate that terminated at 2:30 A.M. on November 5—an anti-bussing amendment to a bill which would authorize $1.5 billion to aid in school desegregation, was a shameful betrayal of legislative responsibility on an issue of major importance. It also marked a low point in Congressional debate. Seldom has more hypocrisy been voiced or more nonsense spouted. Speaking for the amendment, Rep. Edith Green (D., Ore.), regarded

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NOV 19

as an authority on educational issues, told her colleagues: "We cannot go back 100 years to make up for the errors of our ancestors." But that was hardly the issue. What was at stake was whether the House intended to help implement a decision of the Supreme Court.

The anti-bussing amendment was, of course, a cheap demagogic trick to force members of the House, all of whom are up for re-election next year, to vote on a proposition which, for all its phoniness, may well be what Stewart Alsop (*Newsweek*, Nov. 15) calls it: "the big, ugly, sleeper" issue of 1972. In the House debate, bussing was a scare word, not an issue. As Rep. Hale Boggs (D., La.) told the majority: "You are not stopping the busses, you are not doing a thing about bussing. You are simply requiring that local people pay the cost and bear the burden." Yet fear of the dreadful label drove many so-called "liberal" Democrats to vote for the amendment, and that is just what Nixon wanted in order to implicate them in his political shenanigans. Not a single white Democrat from Michigan voted against the amendment. Rep. John Conyers (D., Mich.), spokesman for the blacks in the House, who led the opposition, must have had his home state Democratic colleagues in mind when he said: "The opponents of bussing are hiding behind their children to protect themselves from the truth. Bussing is not the issue and children are not the issue. The real issue is whether or not this country will become what it says it wants to be—that place in the world where freedom and equality exist for all." But "the mood of the House" was strongly against bussing, as being the symbol of the racial equality which the majority secretly fears and hates.

By adopting President Nixon's characteristically tricky formula of supporting funds for desegregation but opposing bussing, the House majority has indeed set the stage for an attempt to turn the clock back a century or more. The majority would reverse, by nullification, a decision of the Supreme Court and a number of lower-court decisions which have followed in its wake. It is, in effect, an attempt to overrule *Brown* vs. *Board of Education,* which, one is appalled to note, was decided seventeen years ago! For that reason, the amendment, as Representative Celler has suggested, is probably unconstitutional. But now that Mr. Nixon has largely succeeded in packing the Court, who is to say what the Constitution means?

The President knows, as does the House majority, that residential patterns will change but slowly; without some form of bussing, however limited or selective, Northern and many other school districts cannot be desegregated in any time span that would have practical meaning to this generation of black students. To offer funds to school districts which are supposedly desegregating, while robbing them of the technique of bussing, is simply a cruel hoax. More important, the majority's vote offers encouragement to those who would like to stage another "compromise" of the kind that wrote finis in 1877 to the initial efforts to enforce the Fourteenth Amendment. Nixon hopes to create a backlash on bussing which he can exploit next year, while giving pious lip service to desegregation and to the notion of "better schools" for both blacks and whites (despite numerous solid studies indicating that black students, particularly in the early grades, do much better in nonsegregated schools).

This is racial politics of a flagrantly hypocritical variety. We are being asked to adopt policies which would fasten a kind of apartheid on the American people. The Kerner Commission warned against the creation of two separate, warring, societies. The House majority—and President Nixon—are guilty of denying hope and encouragement to blacks and other minorities who are struggling to achieve equality of legal status. Instead, the House has joined with the President, and what may well be a new majority on the Court, to frustrate their dreams of equality. This is as dangerous as it is heartless. Rep. Parren Mitchell (D., Md.), a black, observed during the debate, "more and more black Americans in increasingly large percentages are demonstrating an absolute lack of credibility in the white-dominated institutions of this country. . . . How, in the name of God, can I or others restore credibility when we see this body act as it did . . . and when we see our liberal friends turn away from us in terms of this important legislation."

The conventional media wisdom has it that "bussing" is the big domestic political issue of 1972. Population has shifted to the suburbs and the suburbs, old and new, are running a fever, we are assured, on this matter (see current issues of *Time* and *Newsweek*). It may be. But there are some indications that the sentiment against bussing may be less massive than it appears to be. Opposition to bussing, as measured by polls, actually declined a bit in the last year. Significant if limited progress in desegregation by the use of bussing—particularly so-called "one-way" bussing; of blacks to white schools—has been achieved in the South and elsewhere. And a surprisingly strong and vocal, if minority, sentiment is willing to give bussing a try. But now President Nixon's deliberate default of leadership has created the vacuum in which anti-bussing sentiment flourishes. Strong Presidential leadership might have turned the situation around and still may, if Nixon is defeated next year.

What the majority does not realize—nor does the President—is that it is much too late to move the clock back to 1877. Too much has happened. There have been too many freedom rides and marches. Too many people have lost their lives in the cause of civil rights. The expectations that have been aroused cannot now be doused. A new generation, just now reaching for political power, has little patience with the stereotypes of Rep. Edith Green's ancestors. More people, young and old, are coming to see and acknowledge that race is not the real issue. What concerns the suburban middle class is the encroachment of the poor. They want to keep poverty at a distance. The more widely it is realized that the underlying issue is one of class, not of race, the stronger the protest is likely to become. It is easier to change class status than skin color. Finally, what the House majority does not sense, any more than does the President, is the curious paradox to which the British writer Colin MacInnes called attention some years ago: "As racialism gets worse everywhere, one also senses it is cracking; the world is getting too small, too integrated, too vulnerable, too bored with the whole damn silly subject for it to mean much a century from now." This last phrase is chilling—a century is a long time—but in this country the issue, in its critical phases, may well be resolved in this decade.

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Fortunately the Senate has yet to have its say on the anti-bussing amendment and, still later, the matter will go to conference. But whatever the outcome, the damage of the disastrous vote in the House will not soon be repaired. For this tragic flare-up of bias and bigotry and hypocrisy we have, in the last analysis, the President and his Southern Strategy to thank.

Good Soldiers

The resignation, effective early next year, of Lieut. Col. Anthony Herbert is a disgrace to the Army and a tragedy for the nation. The facts about this matter are by now clear enough. Herbert, a veteran of twenty-three years' service in the Army, the most decorated enlisted man in the Korean War, a man who in fifty-eight days of combat duty as a battalion commander in Vietnam won a fourth Silver Star and seven other decorations for valor, brought war crimes charges against his two superiors in the 173rd Airborne Brigade. As a result, his career was quickly and efficiently snuffed.

The two officers he accused, Col. J. Ross Franklin and Brig. Gen. John Barnes, both rising stars along the Army's computer program for success, signed an efficiency report which charged Herbert with having shown "no ambition, integrity, loyalty, or will for self-improvement" during his medal-studded days in their command. It was the first such report Herbert had received in more than twenty years in the Army, and it was also illegal, a fact that no news-gathering agency has noticed. Army regulations require that a man serve at least sixty days under a single commander before he can be rated for aptitude. Herbert, as noted, served only fifty-eight.

Nevertheless, Franklin and Barnes were allowed—perhaps, it would seem, even encouraged—to slash away at Herbert's career with the damaging report which proved crucial in his attempts to remain in the Army. The Army continually upheld the report, despite its inherent illegality, and despite the fact that Barnes and Franklin had filed it *after* Herbert had brought charges against them. Then, with only days remaining before Herbert would have been forcibly retired because of the report, Army Secy. Robert F. Froelke ordered it stricken from his records, without commenting on the validity of Herbert's appeals and charges against Barnes and Franklin.

As it turned out, the Army had already dismissed for "lack of evidence" each and every criminal incident which Herbert had reported to his superiors and on which, he complained, they had taken no action. Not long after that, Herbert was ordered by the Pentagon to cease his contact with reporters. A few days later, with Herbert firmly muzzled, the Pentagon released a 2,500-word "fact sheet" to the press and to each member of Congress, refuting the colonel's charges. Herbert had witnessed the torturing of several nameless, faceless prisoners, few of whom survived. Presumably, an even lesser number are around today to tell about it.

Two weeks ago, Herbert's immediate superior at Fort McPherson, Ga., called him on the carpet to give him lessons on the position of attention, the proper salute, and how to say a snappy "sir." In the end, it was probably such mindless, petty jabs which caused Herbert to declare his position "intolerable."

In a statement released through his lawyer last week, Herbert showed signs of having realized that his fight to right the wrongs he had witnessed has been, and will continue to be, fruitless. "For two and a half years I have struggled to help the Army eliminate the stigma of the concealment of war crimes which I personally saw or had knowledge of. The actions taken by certain members of the Army at both the local and the Pentagon level have convinced me that to continue seeking correction within the military would be useless."

Surely he is right. And perhaps the time has come for the Congressmen and Senators who have expressed outrage at the Army's treatment of Herbert to turn his predicament to the advantage of the country. Herbert and men like him have picked up a lifetime of knowledge in the Army, and it can be used, as he now recognizes, to better advantage outside the Army's system of whitewash and cover-up.

There have been talks already between George McGovern and Herbert, it being intimated that the latter may join the Senator's Presidential campaign staff when his resignation from the Army becomes final. Herbert would also be an asset to the war crimes investigations of Dellums, Abzug, et al. And David H. Hackworth, a former colonel and Pentagon expert on guerrilla warfare, who resigned with a blast against the war in Vietnam, the way it has been fought, and the heartless want of integrity among officers in the Pentagon who have made the decisions which ruined men like Herbert, would be an excellent addition to the staff of a legislator like Senator Fulbright. Maj. Gordon S. Livingston, a West Point graduate who was forced to resign after having protested the body count policies in the brigade of Col. George S. Patton III, has information and experience that would doubtless be of use to the anti-war forces in the Congress.

All these men are credible, all of them have long experience in the military, and all of them could put their experience to use in the Congress, if only in an advisory capacity. Senator Proxmire hired the Pentagon civilian who blew the whistle on the C-5A. There is no reason why the soldiering end of the Pentagon shouldn't be similarly represented on Capitol Hill.

LUCIAN K. TRUSCOTT IV

Cuba Is There

New trouble impends for Cuba, but it may affect the United States as much as it will the ostracized island. Since the fiasco of the Bay of Pigs, U.S.-Cuban relations have been practically static, marked only by minor incidents and hijacked airliners. American negativism is almost total [see this issue, p. 524].

Now, according to Jerry Greene's column in the New York *Daily News*, a Cuban gentleman in exile named José de la Torriente plans to invade his homeland—not in the amateurish fashion of the Bay of Pigs but with careful planning and adequate preparation. Torriente appears to be a substantial counterrevolutionist; before Cuba turned to Castro he was a farmer (one assumes a big farmer), president of the Cuban Coca-Cola Company and

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general manager in charge of Latin American operations for the Collins Radio Company, a big outfit in the U.S. military-industrial complex. In October his organization launched a commando raid on the eastern Cuban port of Sama, allegedly held the town for more than an hour, killed fourteen or fifteen militiamen, disrupted communications and blew up the power plant, and withdrew without the loss of a man. These claims may be exaggerated, but there was a raid: Havana Radio mentioned it.

According to Torriente, this was only a start. He claims to have a professional military staff which held a unity convention in Miami in February 1970 and is engaged in coalescing the numerous Cuban exile factions. According to his estimate, 10,000 Cuban nationals have served hitches in the U.S. Army and Marine Corps. He says he is raising money all over the world, especially in Latin America, with the exception of Chile, Peru and Ecuador. His plan is to build up his organization to the point where it can attack as many as five ports in one night; then he will inform the U.N. that a state of war exists between his Free Cuban Nation and Castro's Cuba, and a blockade of the island will be enforced.

All this, according to Torriente, will be accomplished without American aid or the use of American bases. The CIA being what it is, that does not sound altogether convincing, although part of it may be true. The Bay of Pigs invasion was launched from Guatemala, which may still be available for such enterprises. But even if the United States is not directly involved at the outset, it will scarcely be able to remain aloof from a major counterrevolution in Cuba. The situation seems to have all the makings of another Caribbean embroilment. Would it not be more sensible to come to an understanding with Castro which would benefit both the United States and Cuba?

The Sheriff of San Francisco

The election of Richard Hongisto as Sheriff of San Francisco is a piece of bright news in an otherwise largely cheerless political season. More remarkable than his victory is the way he won it.

Hongisto is the one sheriff in the continental U.S.A. who is a good friend of this publication. *The Nation* has known him for some years and thinks highly of him, so highly in fact that we were momentarily stunned by the news of his victory. Of Finnish descent, 35 years of age, Hongisto was born in Hovey, Minn., and went West to work in the shipyards in 1941. For a decade or more he was a member of the San Francisco police force and, from 1966 to 1970, served with the first Community Relations Section of that department, which is where he first came to our attention. He resigned from the force in 1970, when the community relations program fell on evil days. Later he was awarded a fellowship by the Corporation for Public Broadcasting which permitted him to serve as a broadcaster for station KQED for a year. All the while he was studying at the School of Criminology, University of California, from which he received a master's degree last June. He has completed the work for his doctorate and now needs only to write a dissertation to receive it.

This summer it became clear to Hongisto that a "good guy" just might be able to win election as sheriff. The incumbent of fifteen years had slipped so badly in public esteem that two "law-and-order" candidates had entered the race against him: a state narcotics officer and a sergeant from the San Francisco Police Department. With the Establishment-law-and-order vote split three ways, Hongisto decided to put his theory to the test. His total vote, around 84,000, just about equaled the combined vote of the two "law" men and exceeded the incumbent's vote by some 24,000. To win, Hongisto put together a bizarre coalition, consisting of a small core of white middle-class voters, combined with the solid support of the black and Spanish-speaking minorities, hippies, students (who worked hard in his campaign), women liberationists, peaceniks and homosexuals. These last, said to number about 30,000 in San Francisco and long annoyed by the harassments and impositions of the police, include some well-to-do individuals who contributed to the campaign. In all his ads, mailings and other campaign material, Hongisto used the peace symbol and stressed the parallel between what the hawks are doing in Vietnam and what the domestic hawks seek to achieve by applying guns, police action, and repressive techniques to aggravated social problems. In all, Hongisto spent $15,000 in his campaign, or about 18¢ per voter. He had almost no organized support. He was opposed by the two major newspapers, by labor and by the *status quo* in general.

The new sheriff has appointed as under-sheriff a young black who also has a master's degree from the School of Criminology at Berkeley. His confidential secretary holds the same degree. Thus the three top positions in the department will be held by men who will shortly gain their doctors' degrees in criminology (less than 1 per cent of American law-enforcement officials hold a graduate degree in criminology). Hongisto has announced that he will deduct $750 a month from his salary of $26,000 and deposit it to the account of a nonprofit foundation which he is setting up to sponsor various social service projects.

His notions about how jails should be renovated prompted a critic to say that it sounded as though they were to be converted into "country clubs." Hongisto replied that any persons who wanted to test the comparison could volunteer to spend thirty days in the clink. When he announced that he intended to set up procedures by which the public's complaints against police officers could be investigated, it was said that a notion so outrageous would lead to mass resignations. Hongisto replied that he could not imagine a group of intelligent, well-educated, forward-looking men doing anything so foolish—and none has. He has also said that he wants to get judges to work a bit harder, so that the jails will be less crowded with defendants awaiting trial. He would also like to move bailiffs from civil departments, where they are principally errand boys for judges, to criminal departments, where their services are needed. He would reduce the penalty for possession of marijuana to seven days in jail.

Hongisto is the brightest, most interesting, most idealistic sheriff known to *The Nation*. The fact that he is really the *only* sheriff well known to us does not detract from the force of this statement. How many bright, interesting, idealistic sheriffs are known to our readers?

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Impounding Congressional Policy

SEN. FRANK CHURCH
Senator Church (D., Idaho) has been a member of the Senate Foreign Relations Committee since 1959.

Washington

The executive branch's insatiable appetite for power is now undermining the last bastion of Congressional strength, control of the purse strings. This development—effected by the impounding of funds—underscores the fact that far too much power is concentrated in the modern Presidency for the good health of constitutional government.

Historically, the rapid growth of Presidential power links directly with the shaping experiences of the 20th century—two World Wars, the Great Depression and a protracted cold war. Unfortunately, the Congress itself has accelerated the trend by tamely yielding its power and responsibility. As a consequence, increasing executive authority has overshadowed the separation of powers prescribed by the Constitution to the point where we must ask whether we are witnessing a permanent decline of constitutional government.

Most authority over foreign policy, including the war-making power that the Constitution vests in Congress, has already passed to the President. Now, on the domestic side, Congress is steadily losing its constitutional grip on the public purse. The disastrous impact of this development can be felt only when one realizes that appropriating money is the most important business assigned to Congress by the Constitution.

The appropriation power, however, lies today as much within the executive domain as within the Congressional. In part, this was inevitable. The increased complexity of governmental transactions, combined with a concomitant need for flexibility, has understandably led to more executive involvement in budgeting for public spending. However, recent Presidents have reached far beyond these bounds toward unrestricted impoundment of appropriated funds—that is, the outright refusal by the President to expend funds in accordance with the will of Congress. (The money, if blocked, remains in the General Fund at the end of the fiscal period.)

Although Democratic Presidents engaged in impoundment in no small way, the Nixon Administration has gone all out. At last count, impounded funds this year total nearly $13 billion; under Johnson the high was an estimated $10.6 billion; under Kennedy, $6.5 billion. Every day, news stories describe discussions within the Nixon Administration as to whether funds Congress has appropriated for housing, pollution control and health services ought to remain impounded or be released from the executive snare. Commonplace are such news items as: The Administration *"may* be ready to release the $586 million in extra funds voted last year by Congress for the fight against water pollution"; or "under Congressional pressure, the Budget Bureau released a backlog of 56 [civilian projects]."

There are occasions, certainly, when the impoundment of appropriated funds is legitimate. For example, if only part of an appropriated sum is needed for, say, an irrigation project, then duty dictates that the remainder not be spent. Or, if Congress, as it sometimes does, makes an appropriation permissive, the President is obviously free to spend or save the money as he chooses. Or impoundment may be expressly directed, as in Title 6 of the 1964 Civil Rights Act, where Congress mandates the executive branch to withhold certain funds from localities practicing unlawful discrimination. The area of dispute does not involve such categories but rather executive impoundment made in defiance of Congressional intent.

Obviously the Constitution did not mean to allow the President complete control over spending. It gives him no item veto—if he finds a specific spending item unpalatable, he is obliged to veto the entire appropriation bill in which the item is contained. Furthermore, his veto may be overridden by a two-thirds vote of both bodies of Congress.

As Sen. Charles Mathias (R., Md.), recently observed, respecting the impoundment practice:

> We cannot allow . . . the President or the executive branch to have an informal line item veto of appropriated money which cannot be overridden. This is, in effect, to impound declared Congressional policy and threaten Congress' very existence. It is clearly in violation of the spirit and intent of our Constitution.

It should be understood that a vital ingredient of our democracy is the opportunity afforded diverse political interests—farmers, businessmen, veterans, the elderly and others—to appeal in a meaningful way to Congress on behalf of programs they favor. Once it becomes recognized that any given program may be entombed by the President —even when Congress has authorized it and appropriated the money for it—the American people will sense the futility of turning to their elected representatives. This will compound an already discernible sense of frustration, even helplessness, that many social observers find today among Americans. The public will conclude that the executive branch, largely beyond local reach, is wholly in charge. Confidence and respect for representative government will evaporate and the stage could be set for the coming of an American Cromwell.

What is to be done? Senators of both parties and of differing political outlook have become increasingly concerned. Senator Mansfield, the Majority Leader, recently proposed that the House, where appropriation bills customarily begin their legislative journey, institute a court suit to challenge Presidential action. Legal scholars have concluded that no court decisions to date pass directly upon the issue and that decisions of tangential relevance leave the matter in doubt. Some specialists would hesitate to resort to the courts, on the ground that the relationship between the President and Congress is essentially political and not susceptible to judicial remedies.

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As for other means, Congressional recourse to the process of impeachment is clearly too harsh to be practical. More realistically, Congress can deny funds requested by the President for programs he may strongly favor, and thus bring pressure on the Chief Executive to implement Congressional intent in other areas. This tack was suggested in March by Sen. Allen Ellender, chairman of the Appropriations Committee.

The most dramatic expression of Senate restiveness over the impoundment issue occurred earlier this fall. The Foreign Relations Committee, when reporting out a foreign aid bill, included a provision forbidding expenditures abroad until the President had released selected urban-development funds impounded last year.

As a minimum, in any struggle for rectification, Congress must strengthen and regularize its review of executive compliance with Congressional appropriations. At present, once an appropriation is passed, Congress usually loses sight of it. The duties of the General Accounting Office, an arm of the legislative branch, should be augmented to include supervision of expenditures in order to identify when impoundment occurs. The appropriations committees of both House and Senate might be required to follow appropriations through the executive branch to insure that they have been allocated and spent as directed. Going further, legislation might be enacted requiring the Office of Management and Budget, formerly known as the Budget Bureau, to inform Congress whenever funds are embargoed.

Sen. Sam Ervin of North Carolina, chairman of the Separation of Powers Subcommittee of the Judiciary Committee, recently introduced a bill, S. 2581, requiring the President to notify each body of the Congress by a special message of every instance in which he impounds funds, or authorizes such impoundment by any officer of the United States. The message must specify the amount, the projects or functions affected, and the reasons. Another provision specifies that the President shall end the impoundment of such funds within sixty calendar days of a continuous session after the special message is received by Congress—unless the impoundment shall have been ratified by Congress.

Of course the most desirable general solution of the problem would be for the executive branch to discipline itself by recognizing that the dominant Presidential initiative in the budgetary process must be matched by meaningful Congressional control. But President Nixon seems insensitive to the problem. In March, when asked about the impoundment issue by Howard K. Smith during an interview on ABC Television, the President replied:

> . . . when I was a Senator and a Congressman, particularly when I was a Senator and a Congressman with a President of the other party in the White House, I played all of these games, with very little success. These games are going to be played. . . .

But the issue is not a matter of "games." It goes to the heart of the separation of powers, the principal accomplishment of the founding fathers.

As such, the matter deserves more respectful attention; then it can be resolved. It need not lead to a fierce collision between the two branches of the federal government. Solutions are available—and should be mutually worked out. For it is clear that the Congress cannot regain its rightful role under the Constitution without a resolution of the impoundment issue. □

CALL IT MAFIA

The Police, the Press & the Legend

EUGENE RUFFINI
Mr. Ruffini, a television and radio news reporter, has been a working journalist in New York City for the past fifteen years.

On June 28, a black gunman fired three bullets into the head of Joseph Colombo, Sr., a reputed mob leader and founder of the Italian-American Civil Rights League. The event gave the police and the news media another chance to indulge in what Tom Buckley of *The New York Times* called "Mafiaology," a study into "the machinations of the crime kingdom . . . none of it provable." When unable or unwilling to solve the crime, police can thus say that the solution is tangled irretrievably in "gangland rivalry." The news media can sell more newspapers or gather more viewers and listeners by dispensing speculation and rumor as fact. Some newsmen can transform themselves into "instant experts" by presenting what they term inside information. The public can pant over Byzantine theories while saying, "Good riddance, another mobster goes." And the principles of due process and honest journalism fly out the window as individuals are slandered and libeled. The media are only too willing to echo and embellish the charges leveled by authority against unpopular minorities, but the pattern established is dangerous for all Americans. The true and widespread nature of lawlessness in the United States is unpublicized, and Italian-Americans wince anew under the implication that they invented organized crime and continue to monopolize it.

Colombo was shot at about 11:45 A.M. inside the press section and before the start of a League rally at Columbus Circle in New York City. He was taken to Roosevelt Hospital and two months later, on August 29, was removed in a semi-comatose condition to the Brooklyn home of his son, Anthony. A hospital official said "Colombo's chances of survival are good, but his chances of showing appreciable improvement in his ability to function would have to be considered poor."

Colombo's assailant was identified as Jerome Addison

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Johnson, 24, of New Brunswick, N.J.; he was fatally shot at the scene. Johnson had gained entrance to the press section by posing as a photographer. A photograph taken shortly before the shooting shows him behind Colombo with a 16 mm. Bolex reflex camera to his eye. The camera had been rented with a bad check from a Cambridge, Mass., store on June 23. Police said that Johnson's weapon was a stolen 7.65 mm. automatic pistol of foreign make.

That is about all that can be said with any certainty about the case; the rest is a fog of confusion, speculation and contradiction. However, from his effects, from remarks reportedly made by those who knew him, and from my own investigations and the investigations of other reporters, a picture of Johnson emerges: he seems to have been a psychopathic confidence man; a fellow who liked to invent stories about himself, who lived in a dream world in which he saw himself as a creative writer, cameraman and playwright. He also moved on the edges of sordid crime, frequenting body painting or "massage" parlors, homosexual bars and sex-oriented photographic studios. He is said to have been rather good at talking his way into girls' beds, but some of the girls have said that he beat and robbed them.

Daniel P. Hollman, attorney in charge of the U.S. Justice Department's Organized Crime and Racketeering Joint Force of the Southern District of New York (the boroughs of Manhattan and the Bronx) has said of Johnson that he appeared to be a "psychopath" acting on his own, and added that it was not the style of organized crime either to assign such an assassination to someone like Johnson or to choose such a public place as New York's Columbus Circle, during a mass rally, for the act.

Although no other newsmen sought his opinion, Joseph F. Lynch, Hollman's counterpart for the Eastern District of New York (the boroughs of Brooklyn, Queens and Staten Island and Nassau and Suffolk Counties) at the time of the shooting, told me that he had no information to indicate either that Johnson was employed by a gangland rival of Colombo or that he was acting alone. Furthermore, many men in the New York Police Department have said to me things that suggest that they do not agree with the official police theory that gangland rivalry was the cause of the shooting.

And yet from the clouds of controversy and the unknown, the police were able to indicate, and the media almost flatly to say, mere hours after the shooting that Colombo was the victim of Mafia rivalry. Their position brings into question the motives of the police and the reliability and objectivity of the media.

Speculation about gangland rivalries pointed immediately toward Carlo Gambino, the alleged "boss of all bosses" in New York City's crime network, and to Joseph Gallo, a supposed rival of Colombo who wanted a greater share of spoils. Gallo enjoyed Gambino's support, according to the popular theory, because the latter objected to the founding of the Italian-American Civil Rights League by Colombo as focusing publicity on organized crime.

Police have never officially linked any underworld figure by name with the assassination attempt, but shortly after the shooting they called in Gambino and Gallo for questioning. Under a new policy of more open disclosures about an investigation in progress, Chief of Detectives Albert A. Seedman and Deputy Police Commissioner Robert Daley for a time held daily briefings. Up until July 2, the police had said they were open to all theories: that Colombo was shot as a result of mob rivalry, that Johnson might have acted from Black Nationalist or militantly racist motives, or that he was a "nut" acting alone or with other "nuts."

But on July 2, Commissioner Daley declared categorically that the Colombo shooting was "part of a struggle for pre-eminence among certain segments of the Italian-American community." He said police knew who was involved in the plot, but there was no immediate explanation as to why arrests had not been made.

Commissioner Daley added that the shooting plot was "detailed," organized and planned with care, and "approved only days before" the shooting. Furthermore, he said, police had determined that there were "two hit men, Johnson and the man who hit Johnson."

From that point on, the inconsistencies, illogicalities and contradictions in police statements came tumbling out. On July 4, Chief Seedman was quoted as saying that the plot was completed at a meeting of several mobsters just hours before the shooting. On July 19, Seedman said that Johnson was also shot in a "spontaneous reaction" to the attack on Colombo "by somebody who was there, possibly in the role of bodyguard."

Confusion extended also to federal agencies. On July 28, the FBI said that Philip Rossillo, an alleged bodyguard of Colombo, was a prime suspect in the killing of Johnson. But Mr. Lynch, whose Justice Department task force contains FBI representatives, said he had "no official word" to support the statement that Rossillo was a suspect. On July 30, Commissioner Daley said that Rossillo was one of "several" suspects in the killing of Johnson.

Those are the major points of contradiction. There are others, but the authorities were outdone in that department by the media. Quoting those old reliables, "police sources" or "informants," the three newspapers in New York—the *Times*, the *Daily News* and the *Post*—printed various versions of the causes and circumstances of the crime. They offered contradictory lists of men said to be in line to inherit Colombo's alleged fiefdom. It was reported that Gambino was unaware of any plot to kill Colombo and that he would have opposed it if he had known. (Gambino, by the way, is the godfather of the youngest of Colombo's five children, Kathryn, 6, named after Gambino's wife.)

The *Post* and the *News* published divergent "death lists" of other reputed mobsters supposedly marked for assassination. The *News* further quoted police department sources as stating that Jerome Johnson "had been promised $200,000 cash and safe escape from the country—and then been double-crossed." Commissioner Daley termed the death lists "absolutely pure drivel." He also applied the word "drivel" to the report regarding the $200,000. Gallo was said to be in hiding; Gallo was said to be highly visible. He was said to be dangerous; he was said to be harmless. And so on and on. Out of this welter of statements and rumors have come no indictments, no evidence to present to a grand jury, and only one capital

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charge—that against Jerome Johnson for shooting Colombo.

To be sure, police may possess leads given them by informants or gathered by wire taps that they cannot make public because it might reveal their sources or because such information could not be introduced in court. They are, after all, ostensibly preparing a case for presentation to a grand jury. But one of the features of the whole Colombo investigation has been the amount of information disclosed by the police; it is much more than is usual in a capital crime.

Certainly, this was a juicy case, inasmuch as Colombo and the League had fought to get police and media to forswear the term "Mafia." Whatever progress had been made by the League in that regard, and it was substantial, was partially negated after the shooting, when the media once more reveled in the term. Due process, objectivity and adherence to fact were flouted, and the public was served a dish of speculation and rumor presented as truth, to the detriment of individuals who for various reasons were unable or unwilling to fight back, and to the detriment of journalistic standards.

Now, having said all this, I should also say that I believe Colombo may have been shot as the result of gangland rivalry. I think it possible because, in the absence of evidence, anything is possible. It is possible, but not probable. Circumstantially, at least—and everything made public up to now in this case has been circumstantial—there is more reason to believe that the assailant acted out of motives peculiar to his own sick mind.

But that view is not popular with law-enforcement authorities or with newsmen. It may be persuasive, but it happens also to be the official view of the Italian-American Civil Rights League and the Colombo family, and its proponents are therefore in jeopardy of being smeared with the same Mafia brush.

By perpetuating what I believe is the myth of a *formal* organization called the "Mafia" or "La Cosa Nostra," the news media mislead the public about the true nature of syndicate crime. Italian-American criminals become the scapegoats for hordes of other Americans involved in immoral or illegal occupations. And so do the millions of honest Italian-Americans in the United States who, with notable exceptions, find their ambitions hobbled because their competitors can, directly or subtly, imply that they are susceptible to manipulation by the "Mafia."

The role of the journalist, print or electronic, in all this should definitely not be the eager purveyor of gossip and guesswork. Rather, his position mandates that he be as objective and factual as possible. But the press is only too ready to present speculation, hearsay, libel and slander as fact when they damage persons inimical to the Establishment. Such persons are not only those whom the police believe to be involved in crime but others accused, either by an agency or by someone in authority, of being anti-American, Communist, radical or just against the *status quo*.

It is this eagerness to present the official, "safe" viewpoint, combined with too much timidity and laziness to question it, that has allowed an alarmingly large part of the public press to accept without reservation the government's pronouncements on the war in Vietnam or, earlier, to retreat before the onslaughts of Sen. Joseph McCarthy.

Today, this press attitude enables many officials to make charges or promote speculation about the activities of the Black Panthers, the Weathermen and similar radical groups without challenge. And, in a similar spirit, the news media record irresponsible statements or unfounded charges made by persons who claim to be spokesmen for the position of an entire minority group or of youth itself.

To return to the subject of organized crime, this attitude of what might be called selective gullibility allows the media to report charges and statements made before governmental hearings as if they were legal proceedings. These investigations are not courts of law where both sides must be heard. And whether it is the Kefauver or McClellan committee on crime, the House Internal Security Committee, or the Knapp Commission hearings on police corruption in New York City, the "testimony" presented is too often unsubstantiated, one-sided, unchallenged, and a severe threat to the civil rights of persons named.

The same situation arises with the publication of alleged excerpts of what law-enforcement authorities describe as "verbatim" transcripts of wire-tapped conversations. One can never be sure about the veracity of the statements alleged to have been made by participants in such alleged conversations. Yet the press presents them without a qualm. In the same way, it will quote informants who may or may not know the truth, who may or may not have their own motives for reporting on persons in organized crime. The press will also seek the opinions of law-enforcement officers who are perhaps no better informed and who may issue equally self-serving statements—i.e., "solving" a case in the press, but not in the courts.

(One prominent law-enforcement official told me that, while he tended to agree with the Italian-American Civil Rights League that a "nut" acting alone shot Joseph Colombo, he didn't want to go on record with that statement because espousal of the "gangland" motive "kept the Colombos off balance" and might cause them to make an "indictable mistake." In other words, he was hoping that they would seek revenge against suspected plotters, and thus initiate a process of mutual elimination advantageous to the law.)

Another disturbing aspect of the dissemination of speculation and raw police intelligence is that other police officers often quote the news items in question as sources for their own statements, or the basis for their own investigations and conclusions. This encourages a round robin, or vicious circle, of information. A police officer speculates, a newspaper prints his speculation, another police officer expands on the newspaper information, and is in turn quoted by a newspaper, and so on.

Furthermore, with only a few exceptions that I know of, the media have not acknowledged the existence of other theories on the nature of organized crime that put it in a clearer light and would, I believe, lead more quickly to its confinement, if not eradication.

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In *The American Mafia, Genesis of a Legend*, Joseph A. Albini of Wayne State University writes:

> Rather than being a criminal secret society, a criminal syndicate consists of a system of loosely structured relationships functioning primarily because each participant is interested in furthering his own welfare. Since patron-client, friendship, and business-oriented relationships in syndicated activity are extremely flexible and constantly changing, it would be futile and unrealistic to attempt to chart or give limits or boundaries to the multitude and types of these relationships.
>
> Also futile and unrealistic are the attempts to apply labels of "boss," "underboss," and others mentioned before. A "boss," which is really a term designating a patron status, may be a patron in one enterprise but a client in another. Since patron-client relationships constantly change in terms of their importance it is impossible and merely frustrating to attempt to designate them by rigid titles such as "underboss," "lieutenant," "soldier," and others.
>
> Patron-client relationships cannot be put on a chart of positions. Their many combinations and constantly changing nature make such positioning a contradiction of their nature. Add to these friendship, kinship, and other "contractual" types of social relationships and one begins to perceive the multitude of possible types of combinations of relationships among syndicate participants.

Professor Albini bases his conclusions on a four-year study he made of organized crime, involving interviews with scores of criminals, police officers, educators and governmental officials. He disagrees with the views of Donald R. Cressey, a professor who served as a consultant to the President's Commission on Law Enforcement and Administration of Justice, and who argued in his book *Theft of the Nation* that the "Mafia," synonymous he felt with organized crime, followed a table of organization as rigid as that of General Motors, but of infinitely more power.

Also opposing Professor Cressey, Joseph Valachi and others of the same school, Francis A. J. Ianni, director of the Horace Mann-Lincoln Institute of Columbia University's Teachers College in New York City, points out that membership in a crime "family" is not like being an employee of GM, IBM or the Bell System. Crime "family" members do not receive a salary, he said, but are usually engaged in their own activities and may even compete with one another.

"Nor does a member of a family necessarily give a share of his earnings to the head of the family," Professor Ianni continued. "The closest model is a feudal one wherein a member swears fealty, receives protection and provides his services to protect others when it is asked." That is so, Professor Ianni said, because there are often real ties of kinship within a criminal unit, i.e., a crime "family" is a family in every sense of the word.

Professor Ianni, who has written a number of studies on the subject of Italian-Americans involved in crime, is now preparing a book on the real kinship relationships within crime "families"; it is based on a two-year study of an actual family in New York City.

Regarding the news media, Professor Albini quotes a police official as saying: "It's because the public and some policemen themselves have bought this crap about the Mafia that makes our work twice as tough. They figure since they're organized, all we have to do is go out, get a couple of big guys and the castle will come tumbling down."

The media thus have presented a simplistic view of organized crime, attacking relatively few individuals. Professors Albini and Ianni admit the presence of Italian-Americans in crime; they do not even deny that Italian-Americans dominate some areas of crime. But both argue that the terms "Mafia" and "La Cosa Nostra" are misleading because they describe syndicate crime—which has existed in this country almost since its inception—as an Italian invention.

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They also agree with the view of sociologist Daniel Bell, who wrote in his essay, "Crime as an American Way of Life," that crime has repeatedly served as the first rung up the ladder of mobility for minority groups in this country. There can be no doubt of heavy Italian-Americans' participation in crime. They assumed dominance in a number of urban areas in the 1930s, succeeding the Jews and Irish. And now black and Spanish-speaking groups are moving up to gain more authority in urban syndicate crime.

But while other ethnic minorities in the United States have escaped being permanently associated with their criminal past, Italian-Americans appear to be in danger of a permanent brand because of the stubborn insistence of the media and some authorities on making "Mafia" a synonym for syndicate crime, or indeed for any close-knit group (the Buckley Mafia, the Kennedy Mafia, the Irish Mafia, the Lindsay Mafia, the Nixon Mafia, etc.).

I share the puzzlement of John Chancellor of NBC who, in a radio commentary last April 5, quoted those who questioned the validity of the Senate committee testimony of Joseph Valachi that the "Mafia or syndicate is as tightly organized across the country as the Coca-Cola Company." Chancellor went on to say: "When Valachi said the Mafia was really called the Cosa Nostra, nobody had ever heard the term: neither the police commissioners of New York, Detroit or Boston, nor the Rhode Island state police superintendent, all of whom testified. Yet the name, Cosa Nostra, stuck, and it's with us today, even though nothing has ever come of Valachi's singing.

"Is it because we *want* to believe it?" (Chancellor's italics.) □

Cuba: Policy of Malign Neglect

RICHARD O'MARA
Mr. O'Mara, who formerly reported from Latin America, is an editorial writer on the Baltimore Evening Sun.

Speaking on October 12, Sen. Edward Kennedy, before the Chicago Council on Foreign Affairs, called upon President Nixon ". . . to end the double standard we apply to our relations with Cuba and to our relations with all other Communist governments." Mr. Kennedy found it an "incredible contradiction" that Mr. Nixon should be so enthusiastic about normalizing relations with China, and at the same time so apparently indifferent toward Cuba.

The Senator is not the only public figure to be puzzled by the Administration's ambivalence. Early in the summer, Senator Fulbright, chairman of the Senate Foreign Relations Committee, and his colleague on the committee, Sen. Frank Church, were interrogating Charles A. Meyers, Assistant Secretary of State for Inter-American affairs. They were trying to wring from him some sort of justification for the present Cuban policy. Simply stated, it is one of relentless nonrecognition, of cold, enduring hostility.

Mr. Meyers defended the Administration's attitude, if not convincingly, at least with aplomb. Cuba, he argued, still exported revolution throughout Latin America. The 1962 resolution of the Organization of American States, which excluded Cuba from the OAS, is still in force, and the United States is obligated to adhere to it. Most hemisphere governments—having broken trade and diplomatic relations with Cuba at a 1964 OAS meeting—show no desire to reopen diplomatic relations. And so forth and so on.

All these assertions are questionable. They have been repeated so many times by State Department hands that they drone on the ear like the supplications of a tired litany. The only one Mr. Meyers left out in his testimony before the Foreign Relations Committee is that Cuba is a client state of the USSR. And that was odd, for it is probably more nearly true than any of the others.

Mr. Meyers should not be too sharply criticized. He is an implementer of policy, not a creator of it, and his Chief in the White House has given him little to implement in Latin America. Mr. Nixon's entire policy for that part of the world has been described as one of "benign neglect." Toward Cuba the neglect is malign.

It must be that Mr. Nixon is indifferent to consistency. Not only is his Cuba policy inconsistent with his China policy, it is also out of line with his stated intentions in Latin America. In 1969, after Gov. Nelson Rockefeller's tumultuous tour of Latin America, Mr. Nixon said that his Administration would deal evenhandedly with all the governments of the hemisphere. That had a harsh but fair sound to it but, alas, it was not to be. The Administration proved friendly enough to the governments of Brazil, Haiti, Guatemala and others of the blood-stained right-wing regimes; but toward Cuba there has been no softening, and toward the Socialist democracy in Chile, Washington's attitude was cool from the start and has been getting cooler.

One cannot refute the proposition that Cuba is a revolutionary state, or that it has sought to transplant its revolution in other hemisphere countries. Revolutionaries have flown to Cuba from all countries of the hemisphere (even from the United States) to learn the arts of insurrection. There is reliable evidence that the Castro government at one time or another financed expeditions or indigenous movements in countries as distant as Panama, Bolivia and Venezuela. But in recent years Cuba has turned inward, having learned that to foment revolution abroad—and to fail at it—costs too much in both money and prestige. To a great extent, the revolutionary internationalism of Cuba's early years has gone aglimmering.

Besides, neither Mr. Nixon nor Mr. Meyers, nor any spokesman of the government in Washington is in a position to denounce Cuba for interfering in its neighbors' internal affairs. No country in the Western Hemisphere has interfered with its neighbors as much as has the United States. The most recent expedition was against the

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Dominican Republic in 1965. Before that was the Bay of Pigs. And for years Cuba had to bear the peculiar and degrading burden of the Platt Amendment, a clause in its constitution imposed by the United States and giving us the legal authority to intervene in Cuban affairs.

A number of ulterior reasons have been advanced for the Administration's refusal to attempt a reconciliation with Cuba. The most credible is that Mr. Nixon is too much preoccupied with China, Russia and the war in Vietnam to put his mind on Cuba. That is at least consistent with the President's laissez-faire attitude toward Latin America in general. However, the State Department has apparently made no effort to interest the President in modifying the present policy, which indicates that not only the Republican Administration but also the foreign service bureaucracy is defending the *status quo*. If that is so, a change in the near future is highly unlikely.

The State Department's rigidity toward Cuba was never more manifest than during the recent affair involving the Cuban sugar technicians who unexpectedly flew into New Orleans to attend an international conference of cane sugar experts. The Cubans had not been granted permission to come, but they came anyway and were immediately put under house arrest in a local motel, and later ordered out of the country by the Immigration and Naturalization Service.

The incident in New Orleans had all the earmarks of a mistake, an international mix-up. But it also offered an opportunity to start a dialogue again between the United States and Cuba. Apparently the State Department failed to see it as such.

It is clear that our Cuban policy has been less than successful. It has, in fact, been counter-productive. During the years it has been in force it has produced results opposite to those intended. At the heart of the United States policy toward Cuba is the economic embargo. It was laid on to make things hard for the Cuban people, in the expectation that they would recognize Fidel Castro as the man responsible for their hardship and throw the rascal out.

The scheme has not worked; such schemes rarely do. Instead, the Cubans identified the cause of their troubles as the government of the United States. They rallied to Castro and he, for more than a decade, has used us as a whipping boy. It would not be far off the mark to suggest that during the past twelve years three things have held Cuba together: the personality of Fidel Castro, the *consciencia* of the revolution, and the unrelieved hostility of four United States Presidents.

Also, contrary to the aims of the Washington policy makers, the boycott has driven Cuba even deeper into the Soviet sphere of influence. As Senator Kennedy pointed out in Chicago, "Between 1961 and 1964, Soviet-Cuban trade remained steady. With the imposition of the boycott, that trade jumped by 15 per cent in 1965 and has steadily progressed. By 1970 it was 100 per cent more than it was in 1964." But the Soviet Union is not Cuba's only trading partner. It does business with the Eastern European Communist countries, with some Western European countries, with Japan and Canada. Spain, a natural ideological enemy, trades extensively with Cuba. So much for the boycott.

Drawing by Berger

If the real cause of the inertia in Washington toward Cuba reflects Mr. Nixon's indifference to the island, it reflects also a degree of short-sightedness. In the rankings of world politics, Cuba is no heavyweight, but it has been the cause of considerable international tension and disputation. A dispute over Cuba—the installation of Russian missiles there in 1962—moved the world the closest it has ever come to atomic war. Recently, the United States and the Soviet Union found themselves again at odds when Washington got the idea that Russians were building a nuclear submarine base at Cienfuegos. When Russian ships of war visit Cuba, the Caribbean becomes very small.

Mr. Nixon assumes that the world sleeps easier with the United States and China talking to each other instead of glaring across barricades of missiles and bombs. Why he does not make the same assumption about Cuba and the United States is difficult to understand. It is simple logic that if Cuba were once again participating in the flow of hemispheric relations, it would automatically be less under the influence of the Soviet Union, and perhaps less hospitable to Russian ships of war.

This assumption has apparently been made by a number of other Latin American states. Contrary to Mr. Meyers' testimony before the Foreign Relations Committee, not all Latin countries want to keep the freeze on Cuba. More and more of them favor warmer relations. The leader of the pro-Cuba bloc in the OAS is Chile, where Socialist-Marxist President Salvador Allende is a personal friend of Premier Castro. Chile has already sent an ambassador to Havana. The previous Christian Democratic government of President Eduardo Frei started up trade relations. Mexico has never broken off with Cuba. Jamaica, the newest member of the OAS, has a consulate in Cuba. Canada, not an OAS member but an active participant in hemispheric affairs, also maintains a consulate.

If another Western Hemisphere country recognizes

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Cuba in the near future, it will probably be Peru. The leftist military government there owes the Cubans a debt of gratitude for medical assistance sent from Havana after the devastating earthquake that struck Peru in May 1969. Bolivia was on the verge of reopening trade and diplomatic relations with Cuba in August, but a successful rightist coup in that country forestalled the move.

Other countries leaning toward the return of Cuba to the hemispheric system and to the OAS are Colombia, Costa Rica, Uruguay, the Dominican Republic, Trinidad, Guyana, Barbados—even Venezuela, which laid charges of intervention against Cuba in the OAS in 1964. The countries most determinedly against lifting the sanctions are Brazil, Paraguay, Argentina and the United States.

Despite the tendency among many Latin states toward improving relations, Cuba is not likely to find its way back into the OAS as long as Washington wants to keep it out. The United States can always drum up enough votes to keep the boycott at least nominally in force. A meeting of the OAS foreign ministers would be required to consider the question of lifting the sanctions and a two-thirds majority would be needed to win readmission.

It should be noted here that Cuba has demonstrated no desire to rejoin the OAS, or to improve relations with the United States. Senator Church, chairman of the Senate Subcommittee on Western Hemisphere Affairs, admits that he can see no gesture from Havana. Just last April Castro made a speech in which he rejected the idea of rejoining the OAS or any suggestion of closer ties with Washington. When the United States Olympic volleyball team visited Cuba in August, some observers speculated that volleyball might do in Havana what table tennis had done in Peking. But when team Capt. Rudy Suwara expressed the hope that this friendly and sporting encounter between the two countries might lead to greater things, Castro professed to see no connection between volleyball and politics. Still, nothing ventured, nothing gained. Despite Castro's intense antipathy to the United States, one cannot be at all certain that he would spurn a genuinely friendly overture. Such a gesture might be the abandonment of the naval base at Guantánamo, which is no longer of critical military value.

Castro has shown himself capable of cooperating: though no formal agreement exists on how to handle hijackers, the Cubans have discouraged the practice by letting it be known that most people who fly to Havana in a stolen airplane with a gun at the pilot's head are flying into a Cuban jail. The refugee flights from Havana to Miami, which he interrupted briefly, have been reinstituted and will continue until the list of Cuban *émigrés* is exhausted. Also, though Castro publicly disdains the OAS, it is likely that, were the United States to drop its opposition to Cuba's re-entry, Havana would do considerable rethinking about the organization.

In the end, the United States may be forced to conciliate. Latin America is gradually coming to the conclusion that Cuba—a sister state culturally and geographically—should be brought back into the hemispheric system. As the movement grows, it could produce a disruptive split in the OAS. One probable effect of such a split would be to awaken the many animosities toward the United States that now smolder in the other capitals of the hemisphere, animosities that spring from Washington's neglect of Latin America, from the imposition of the 10 per cent surcharge, and from Mr. Nixon's failure to fulfill his promise of trade preferences for Latin goods. The resentments are there, and unless Washington comes off its high horse, the issue of Cuba is liable to heat them up. □

FBI CONFERENCE

A CRACK IN HOOVER'S FORTRESS

ARLIE SCHARDT
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Supreme Court nominee Lewis Powell characterizes criticisms of the Federal Bureau of Investigation as "mindless attacks." Supreme Court nominee William Rehnquist is impatient with those who object to the Bureau's proclivity for tapping the private telephone conversations of law-abiding citizens. Some 71 per cent of the American people are so untroubled by the role of the FBI in America that they can assure Gallup pollsters they highly approve of the Bureau's work. Those who disagree with the majority on this inevitably emotional topic are often called "soft on crime," or worse. Indeed, most of the majority would transpose the phrase "mindless critics" to read "any critics," for they have long been conditioned to misconstrue even constructive criticism of the Bureau as an attack upon it.

But those who disagree with the majority are growing, both in numbers and in determination that the time has come for a searching evaluation of America's single most sacrosanct institution of government. So it was that early this month the Committee for Public Justice, a recently formed group concerned about political repression, teamed up with the Woodrow Wilson School of Princeton University to conduct a historic conference—the first organized, serious, scholarly inquiry ever conducted into the place of the FBI in American society.

Participants included some forty legal and constitutional scholars, journalists, former agents, former Justice Department personnel and ex-informers. Inside Princeton's Corwin Hall they sat around a huge, green felt rectangle of tables, amidst microphones, pitchers of ice water, tape recorders, banks of TV cameras and tall towers of blind-

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ing lights. For the sake of the cameras, the huge room's 30-foot tan curtains were closed against the brilliant sunlight of two sweet, warm fall days. Inside, the discussions went on and on and on. If the hard-working group never saw the light of day inside that room, their pulling and tugging and probing did manage to shed a different kind of light on a topic long exempt from meaningful scrutiny.

Getting there was *not* half the fun. From its inception, the conference had been accused of being "loaded" against the FBI. It was, in fact, difficult to achieve a satisfactory balance, since invitations to participate or to send a representative were rejected by Atty. Gen. John Mitchell, the Society of Former Special Agents, and J. Edgar Hoover himself, the latter asking the conference, in the course of a 7-page letter of regrets, for an "acquittal" in the "trial."

A name-calling, pre-conference column by William F. Buckley wrote off the group as including some "anti-FBI nuts" and others who had committed such sins as taking the Fifth Amendment during the 1950s witch hunts, or publicly disagreeing with Mr. Hoover. On the floor of Congress the conference was attacked by Rep. Richard Ichord, chairman of the House Internal Security Committee. A 2-page ad in *The Daily Princetonian,* headlined "Scholarly Convocation or Hatchet Job?," was sponsored by Undergraduates for a Stable America (USA), a group headed by T. Harding Jones, a senior who last summer served as a White House intern to Presidential counselor Robert Finch. Jones termed the conference "the epitome of the bias and oneness of opinion that the USA has tried to change at the university." (I. F. Stone exclaimed that he never thought he would live to see such a meeting, let alone at Princeton, "which I had always considered an air-conditioned desert island where [politics professor] Hubie Wilson sits in lonely liberal splendor.")

Numerous protests came also from Princeton's conservative alumni, along with thick stacks of hate mail and threats. The range and depth of protests against even this sober effort to examine the FBI underscored the overwhelming success of the Bureau's decades-long publicity campaign, and reinforced the need to hold such a seminar.

Besides examining the role, powers and structure of the Bureau, the conference aimed to study six major areas of mounting concern. Princeton professor of politics Duane Lockard, a conference co-chairman along with Norman Dorsen of NYU Law School and Burke Marshall of Yale Law School, listed them in a letter re-extending an invitation to Mr. Hoover: the Bureau's failure to deal adequately with organized crime; the extent and nature of its use of informers; its collection of vast quantities of data on private citizens; the Bureau's budget; its performance in enforcing civil rights laws; and its public relations activities.

To do its work, the smoothly run marathon was organized to hear summaries of thirteen study papers prepared by various participants, to discuss each of them, and to take part in four panels—one featuring ex-informers, one of former Special Agents, one of former Justice Department officials, and one examining FBI relationships with local police. Questions were accepted from anyone in the room—conferees, official observers, or members of the general public who filtered in and out of the 200 chairs provided for them at one end of the room.

At the end of the first day, which lasted until after 10 P.M., persons were heard to say that they had not learned much new. Yet even near the close of almost twelve hours of work, everyone in that room had been listening and concentrating with notable intensity. And by the end of the second day, it was unmistakable that something important had gradually been put together, topic piling upon topic until there it all was.

What it amounted to was an enormous collection of information, proposals and unanswered questions. And towering above it all was the unseen but always felt, absent but omnipresent, personage of The Director himself—aged 76, now in his forty-seventh year in a job spanning six Presidents all the way back to Woodrow Wilson.

To one degree or another, the Bureau's strengths and weaknesses, its best features and its worst, are all reflected in Hoover. What better measure of Hoover's ability to lock up reams of information that properly belong to the public than the spectacle of a large group of important people, many with access to sizable portions of the power that moves our society, unable at this conference to examine fully their topic because they simply could not obtain the necessary information?

But while it was of course imposible to ignore Hoover's personal influence on the FBI, the conference avoided the pitfall of concentrating only on him. Looking to the future, which presumably will not include Hoover, the conference placed equal emphasis on studying the Bureau as an entity. Two major themes, both of which will bear further scrutiny, emerged from among the many problems discussed: the efficacy of using informers, and the fine line that remains to be drawn between political surveillance (improper) and criminal surveillance (proper).

Discussing his paper on informers, attorney Frank Donner, who is conducting a two-year ACLU study on surveillance, observed that the informer is the key to the perpetuation of a myth, one that constitutes a large part of the mystique cultivated by Mr. Hoover: "that the government of the United States is under a permanent threat of internal subversion." To perpetuate this myth, said Donner, The Director uses his access to intelligence gathering for propaganda purposes, giving his words credibility with a mass constituency "which he manipulates with a dual strategy of alarm and containment." The technique is to warn Americans periodically of the dangers that threaten them, but at the same time to assure them that these dangers are being contained.

Allied with the use of informers to raise the temperature of national alarm (especially at budget time) is the use of informers to develop files. "Files," continued Donner, "help support the thesis that social unrest is produced by individual, conspiratorial, bad men, cunning and ruthless. It's an attempt to individualize what are fundamentally social problems."

Donner and many others, including former agents,

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agreed that too often surveillance has become an end in itself, and unreliable at that. It is unreliable both because of the strange breed it depends upon (to be an informer one must be willing to betray one's friends, a characteristic despised by Western civilization at least since the days of Judas), and because the livelihood of the informer depends upon keeping the reports flowing.

Robert Wall, who resigned as a Special Agent in 1970 after five years spent mostly in political surveillance of peace groups, said he never saw a single case of information from an informer lead to anyone's prosecution. Prosecution or no, as Donner observed, "too many times, by the very fact of intelligence presence in a group, that group is smeared and placed under a cloud."

Use of informers was strongly defended by John Doar, an assistant attorney general during the 1960s, when blacks waged their most determined battles for racial equality in the South. Doar contended that the infamous triple killing of civil rights workers by police and Klansmen in Mississippi could never have been solved without informers.

Donner allowed that there are times when use of an informer is proper police procedure, but that a line must be drawn between conduct where crime is incubating and conduct where there is no such possibility. Most participants seemed to agree that there is a place for informers, but that their use has spilled far over the line separating criminal from political activities.

Indeed, I. F. Stone, when discussing his paper on the FBI as a Political Police Force, charged: "There's been a mushroom growth, since the war, of extralegal and extraconstitutional methods of purging and destroying people in ways that do not require the surveillance of the criminal courts. It's in the loyalty and security proceedings—the witch-hunt committees; the unofficial blacklists—that the political police activities of the FBI have had an enormous and intimidating effect in ruining the lives of many good people."

Citing evidence of close relationships between the FBI and various loyalty committees, Stone addressed a recurring question: how do you keep a political police force under control? "The founding fathers realized it is too easy to accuse a political opponent of disloyalty," said Stone, so they were careful to make treason the one crime that is actually defined in the Constitution. The result has been that witch hunts and loyalty hearings have gone outside the Constitution, greatly exaggerating the powers of the enemy (the commie-under-every-bed thesis) to justify their existence. What to do? "If we get rid of the loyalty-security miasma and keep the FBI to the prosecution of crime," said Stone, "we get rid of a lot of this problem."

The obvious need for both the executive and legislative branches to exercise more control over a police force having such political potential led Prof. Thomas Emerson of Yale Law School to propose both greater access to information about the Bureau and new techniques for scrutinizing its work. Emerson suggested the creation of a Board of Overseers, consisting of private citizens, and an ombudsman, who would hear complaints of private individuals about the Bureau.

Richard Wright, associate executive director of Americans for Effective Law Enforcement, frequently challenged proposals for phasing the FBI out of the loyalty-security area. But by questioning proposals in Emerson's carefully reasoned paper on the FBI and the Bill of Rights—including such suggestions as a ban on photographing peaceful demonstrators, on gathering data on persons not engaged in criminal activities, or on keeping vigil over groups that cannot reasonably be suspected of violating federal law—Wright only emphasized once again the urgent need for strict separation of political and legitimate surveillance.

Throughout the two days, the conference heard a series of defenses and criticisms of the FBI. Because the defenses have become almost a built-in response of the American psyche, thanks to the Bureau's publicity campaign (traced by Robert Sherrill in his paper on "The Selling of the FBI"), the criticisms commanded more attention.

The veteran Washington investigative journalist, Walter Pincus, raised important questions in his discussion of the FBI budget—the only one for which proper review is impossible, because funds are allocated in a lump sum rather than by line items. Pincus noted that Mr. Hoover is never questioned "in any meaningful way" by Congress, and benefits by the presence of former agents in key spots on both appropriations committees.

Pincus also observed that the FBI directs its activities into those areas that bring back good statistics. "This is a factor in steering it away from the problems of organized crime and espionage, which don't turn out the statistics and therefore don't get the attention they need."

Pincus and several others raised the question of the effect of old age at top-management levels on the Bureau's perspective (Hoover's eleven top aides have all been at least twenty-one years in the FBI, and there has been no infusion of new blood at that level for decades). The FBI, said Pincus, "is now exploding in size at a time when management at the top level has grown old, and it's still being run as if it were a small, elite agency run by younger men."

One of the few papers for which concrete information was available was in the field of the FBI's promiscuous dissemination of information. Aryeh Neier, executive director of the ACLU, was able to draw ample instances from the court records of a recent case, *Menard* v. *Mitchell*. (The only other prime sources of FBI documents are the Judith Coplon trial and those stolen from the Media, Pa. FBI office.) Neier found that, although statutes giving the FBI authority to exchange information contemplated traffic only between the Bureau and other police agencies, the FBI was in fact sending out some 29,000 reports per day, not just to law-enforcement agencies but to local licensing agencies, civil service agencies and even private entities such as banks, insurance companies and hospitals. Further, almost no precautions were taken to assure that the information was not passed on to still other agencies (the "dossier industry" is a booming business in this country). The information includes arrest records but does not follow up with conviction records (yet about half of those arrested for crimes are not convicted), and the FBI has no procedures

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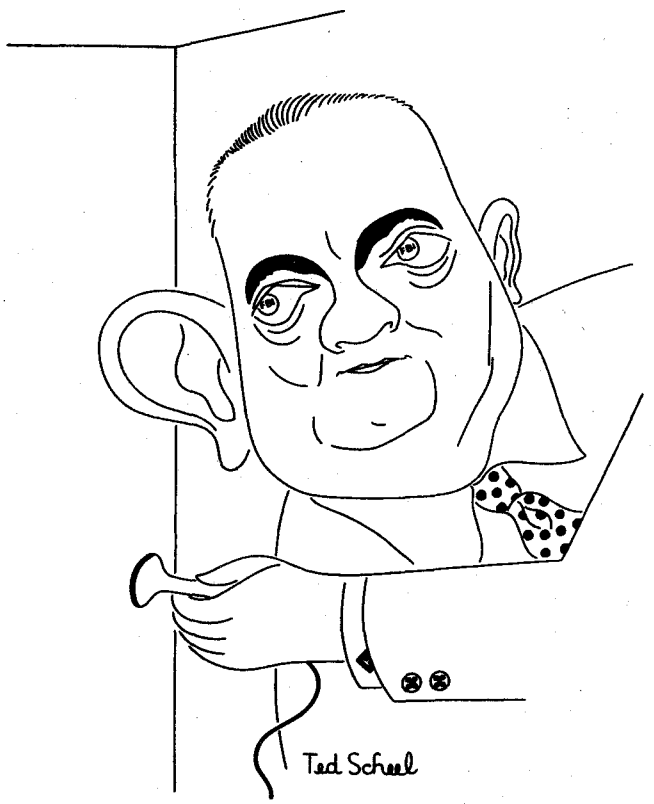
for distinguishing between juvenile and adult arrests. The damage this laxity can do to individuals by blocking job opportunities or ruining credit is almost limitless. It could actually create a subculture of persons forced to live on the fringes of the law. Fortunately, many of these practices were curtailed this spring after they had come to public notice in the *Menard* case (the plaintiff, who had been falsely arrested, was suing to have his fingerprints removed from the FBI files), but bills, including one from the Justice Department, are already in Congress to nullify the protections of the *Menard* ruling.

One centrally disturbing problem that gradually crystallized as the information and testimony from study and panel discussions accumulated was the deterioration of a personnel suffering bad morale from vindictive firings and petty punishments, frustrated by lack of change, frightened to offer even the most constructive criticism, spinning its wheels on the collection of useless data from often unreliable sources, stifling under an excessive load of paper work that feeds bureaucratic appetites more than it serves the pursuit of crime.

Former agent William Turner told of an agent named "Skip" Gibbons, who was reputedly the only agent ever



to have single-handedly uncovered a Soviet agent. An unusually stocky man, Gibbons turned out to weigh 5 pounds more than was authorized by the official FBI chart initiated when Mr. Hoover became diet conscious. Although a doctor's notation indicated that Gibbons' weight was "proper" for his size, the notation was changed to read "lose five pounds." When Gibbons failed to lose the 5 pounds he was threatened with a charge of insubordination. When he hired an attorney, he was given a rating of "Unsatisfactory" on his judgment, and was thereupon transferred, in short order, from Detroit to Mobile, to Oklahoma City, to Butte, to Anchorage—where he accepted his fate: a medical discharge for "nervousness."

Turner observed that the FBI must depend heavily on informers because of its demographic makeup. It is difficult to penetrate the alien sub-societies of spies and racketeers with personnel that is virtually all white, Anglo-Saxon, Catholic and "straight." Noting that "the Bureau has never been an equal opportunity employer" (blacks comprise about one-half of 1 per cent), Turner agreed with those who suggest that counterespionage should be taken out of the hands of the FBI, whose "beer and whiskey" tastes do not lend themselves to successful international intrigue as well as do the "burgundy at room temperature" proclivities of CIA types.

But the most vivid example of the pointless personnel snafus that stultify progress was the presence in the conference room of recently "retired" agent Jack Shaw. It is impossible to observe a man like Jack Shaw and not have serious doubts about an organization which would hound him from its ranks. Dedicated, competent, strikingly articulate, Shaw was forced out of the FBI because agents in his New York office happened upon pieces of a letter he was sending to his professor as an outline for a constructive critique (mostly complimentary) of the FBI. Shaw was ultimately vindicated through an unprecedented victory over Hoover in a lawsuit that completely cleared his name. Yet despite the incredible mistreatment, his loyalty to the Bureau is still so deep that, like many ex-agents when discussing the FBI, he refers to it as "we."

Shaw's obvious loyalty to the Bureau makes his words particularly telling, as well as somewhat poignant. There is indeed a crisis in the FBI today, says Shaw, but it is "a fine, worthy organization and the agents are not about to abandon it." Shaw finds the most serious problem to be "a lack of innovation," which forces the agents to struggle under an imperative akin to the "America-love-it-or-leave-it" slogan. "The alternatives in the Bureau should not be that extreme," says Shaw, but "any agent who desires to voice change, or to discuss . . . some areas of criticism based on his own experience and based on the intransigence which he sees around him, becomes immediately marked for administrative difficulties or perhaps dismissal from the service." Again and again, a recurring source of problems turned out to be the rigid refusal of the director, secure in his unapproachable sanctuary, to accept constructive criticism.

Countless other topics were raised, all indicating the depth of need for a major official evaluation of the FBI. Author Victor Navasky, discussing wire tapping and bugging with former Deputy Assistant Atty. Gen. Nat Lewin, pointed out that "It's not Mr. Hoover you have to worry about; "it's not even the FBI. It's the system of unilateral executive determination of whose telephone is going to be tapped."

Harvard law Prof. Vern Countryman, in his history of the FBI, estimated that there are political dossiers "on 16 million of us." Many participants were troubled by the unreliability of FBI crime statistics, unreliable because they are uncheckable and because they seem to fluctuate

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oddly to support an attack on each succeeding "national menace," whether it be Reds in the 1930s, spies in the 1940s, traitors in the 1950s, blacks and students in the 1960s, or, as seems to be increasingly the new vogue, internal subversives in the 1970s.

Former New Haven police chief James Ahearn found serious deficiencies in FBI police-training techniques, which he says give agents "no feel for the urban scene" where most major problems exist. There was frequent praise for the Bureau's skill and efficiency in doing what it does, but more frequent criticism that what it does is not what it should be doing. No one had the remotest information about why Mr. Hoover failed to move against organized crime. Nor did the conference consider possible legislative steps which might help to balance the FBI, a few of which were mentioned by Princeton politics Prof. Hugh Wilson: the need to impose a tenure limit on the director's job; to put FBI agents under civil service and thus reduce the director's arbitrary power over their lives; and to devise the mechanics for an outside agency that would supervise the Bureau's emphasis.

But the seeds of an answer did emerge to the critical question of controlling political surveillance. "Essentially," said Professor Emerson, "it's the difference between groups engaged in criminal action and groups engaged in ideology." The line *can* be drawn, Emerson insisted, and police *must* be supervised when they stretch surveillance from violent to nonviolent groups. The most fundamental protective necessity: uncompromising insistence on a warrant from a court "if and when you allow surveillance at all."

More comprehensive answers will have to come from longer, more specialized seminars whose members must be given greater access to official data. It will be easy enough for opponents of this conference to contend that its charges were only charges, nothing more. But in view of the unwillingness of the FBI to open any of its records, and the unwillingness of its friends to take part in the debate, it may also be said that denials are only denials. More than denials are needed in view of the gravity of the charges and the weight of the evidence that has managed to emerge.

It was important enough—indeed it was remarkable—that this conference, the first examination of an enormously powerful federal agency in fifty years, was held at all. Prof. Duane Lockard urged that the next move be for Congress to convene a national commission of inquiry "to answer many of the questions raised here."

The difficulty in answering those questions, and thereby solving the basic problem of holding a security police force within the Bill of Rights, was perhaps best stated by Professor Emerson. "No mere reform of institutions or creation of new ones will do it alone. Ultimately the only solution rests on an understanding of the dangers, a commitment to watch for their appearance, and the courage to demand their correction." In other words, an informed public. Toward that vital goal, history's first FBI Conference was an invigorating first step. □

OIL IN THE HILLS

SECOND RAPE OF APPALACHIA

PHIL PRIMACK
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Coal still reigns as monarch in eastern Kentucky, but some blood relatives are quietly moving in. Even while coal production (and injuries) continues at record levels, mostly from the cancerous spread of surface mining, exploration for oil and gas has uncovered a vast and mostly untapped fuel reservoir. In fact, a spokesman for the Kentucky Geological Survey was prompted to note, "Acre for acre, both the gas and oil deposits in eastern Kentucky are of the same order as those of the Louisiana-Texas Gulf coast."

That may be great news for a nation whose power supplies are allegedly dwindling, but for many eastern Kentucky mountaineers it means little more than a new innovation in the delivery of industrial grief. For them, the movement of gas and oil development into their hills and hollows is a near replay of history—somebody from the outside with a lot of money again wants something they're sitting on. Most mountain folks do not control their "mineral rights," that valuable asset so eagerly sought for "development." Those rights were signed away, usually with an "X," for pennies an acre at the turn of the century when coal company lawyers convinced mountaineers to sign the infamous "broad-form deed." Thrice upheld by the Kentucky Court of Appeals, it gave the purchaser rights to coal, oil, gas "and other minerals" and "access thereto" beneath the surface of the signer's property.

In practice, the broad-form deed cleared the way for massive destruction of the land and the people of eastern Kentucky. Over the years, small coal firms bought or leased mineral rights from the big corporations and began to machine their way through the protests and anger of landholders. "I'm sorry that that's your corn patch, buddy. But this here deed says I got access to the coal (gas, oil, brine, etc.) under it. Now kindly step aside and let my 'dozer through."

With few exceptions, those 'dozers have gone through. A few mountaineers have successfully stood them off with shotguns, but with the courts, law and, ultimately the firepower on industry's side, most people have been sufficiently intimidated to back off and let their homeland be torn apart, getting at best a token payment or pittance royalty in return.

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Now, seventy or eighty years after the coal men first arrived, those same tainted documents are being used to suck out newly found oil and gas from beneath the coal. Today, a bulldozer clearing a gash up an eastern Kentucky mountain is not necessarily opening a strip mine; there's a good chance it is clearing the way for a gas transmission line—headed for somewhere like Pittsburgh with another piece of eastern Kentucky.

No one is quite certain just how much oil and gas there actually is. The only truly organized research has been made by the oil and gas firms, and they don't talk. Also, only recently have the larger, better financed firms arrived on the exploration scene.

Nevertheless, even without accurate figures, it is easy to see that a new fuel bonanza is indeed in the making. All you need to do is drive around. Elk Creek and Bull Creek, Millstone and Carcassone in Letcher County, are dotted with wells and pipelines. In Knott County, 6-inch lines run right along Ky. #80. Tanker trucks are parked in Floyd County. Throughout the mountains, occasional 100-foot columns of thick, acrid smoke mark where the excess oil in gas transmission lines is being burned off, to the rage of neighbors.

Truly extensive drilling got under way in Letcher County around 1968. In that year, according to the annual report of the state's Department of Mines and Minerals, Letcher's oil production was 112,792 barrels. One year later, the figure had more than doubled, to 257,792 barrels. And critics of the state agency contend that, since it relies primarily on voluntary declarations by the industry, annual report figures are probably low.

The jump in oil production is the more significant because, by the industry's own accounts, most of the activity has been for natural gas, with oil an auxiliary consideration for the moment. (That has meant more than $800,000 in "secondary" income to oil and gas firms working in Letcher County alone.)

Oil and gas come up from the ground together. So a cylindrical device called a separator is attached to the well pump. It sends gas directly into the pipelines and moves the oil into large storage tanks on the drilling site. As many as six or seven of these tanks are clustered together on some hillsides; they are emptied daily.

Production figures for natural gas are harder to come by. Says the state's Gas and Oil Division. "These figures are not required to be reported to the Commonwealth of Kentucky (one reason being that the state has no severance tax whatsoever—a mild issue in this year's gubernatorial contest). It is thus necessary to turn to federal records for information. Unfortunately, these are broken down into fuel zones, in addition to states, with no further subdivision, such as counties. Nonetheless, the 1970 Minerals Yearbook of the U.S. Department of the Interior ranks Kentucky twelfth in gas production, with a gross of roughly $25 million. But how much of that derives from eastern Kentucky and how much from the more established western Kentucky field is not specified.

On this point, Kentucky West Virginia Gas Co., one of the most active firms in the mountains, supplies a clue. A company official has said that "as much as 70 to 80 per cent of gas produced in Kentucky comes from eastern Kentucky now." And, according to the Kentucky Geological Survey, total 1969 gas production in the state was 73.5 billion cubic feet.

Kentucky West Virginia has refused to designate the exact sources of its production. "We'll gladly provide area-wide statistics," an official told *The Mountain Eagle,* the Letcher County weekly which first called attention to the new fuel strike, "but not specific county figures." He explained, "We just don't want to give trade secrets away. We're not the only people in the field." There is one specific county figure: at latest report, the company paid less than $18,000 in taxes to Letcher County.

Kentucky West Virginia is not an independent firm. It is wholly owned by the Equitable Gas System, based in Pittsburgh. Equitable's president, J. T. Brown, has high hopes for his stockholders' eastern Kentucky investment. In his 1970 report, Brown mentioned an agreement between his and other firms "to explore the gas producing horizons of the company's acreage in Kentucky." An exploratory well will reach a depth of 12,500 feet, "at an estimated cost of between $550,000 and $650,000." Signal Oil and Gas, a large Los Angeles-based operation, "has the major participating interest."

The real significance of this well, as Brown noted, is that Equitable's "approximately 1 million acres in eastern Kentucky have never been drilled to this contemplated depth." He concluded with elegant understatement, "We are looking forward with interest to the results."

Further evidence of how eastern Kentucky lures the fuel conglomerates comes from the 1970 annual report of the Signal Companies. Among other things, Signal owns Mack Trucks, but despite the immense presence of those road-wrecking vehicles in the Kentucky mountains, it is another Signal subsidiary—Signal Oil and Gas—that is about to move in. Having shed some of its operations, that company, says the report, "is now able to concentrate almost exclusively on the exploration and

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production of crude oil and natural gas. . . ." It adds, the company in 1970 "continued to improve its acreage position in the southeastern United States—*one of the most promising areas of the country*" (my emphasis).

Within that most promising area, the Kentucky mountains figure high. "Seismic and gravity detail have been completed in Kentucky, where Signal is acquiring a 40 per cent interest in more than one million acres."

The consensus is that the real finds do lie deep, that what has been tapped thus far is the rich frosting. One Letcher County well reportedly made a 40-million-cubic-feet hit at about 7,500 feet. And up in Pike County, Signal Gas and Oil has already drilled that exploratory well to 12,500 feet. No findings have been publicly released.

Dr. Edward A. Wilson of the Geological Survey told the *Eagle* last fall: "Deep exploration in eastern Kentucky is in its infancy. But it's ready to take off." He added that he would "definitely recommend" that oil and gas firms move into the region. They're doing just that.

In many cases, though, the oil and gas operations are appearing in the form of coal companies, quietly completing the energy marketing circle. Congress and others have been alarmed of late by the trend of huge oil conglomerates to buy out coal companies and their reserves. The Senate Subcommittee on Antitrust and Monopoly, chaired by Sen. Philip Hart, conducted hearings more than a year ago to consider "Competitive Aspects of the Energy Industry." Testimony revealed the extent to which oil conglomerates have taken over coal, placing themselves in the position, admirable for them, of owning their competition. Of the nation's top ten coal companies, only two are owned independently. Nearly 20 per cent of all coal produced nationally is at present under the direct control of two oil giants, Continental and Occidental.

Even the laggard Federal Trade Commission which, after all, allowed most of the mergers in the first place, is expressing retroactive concern. House hearings were begun in the middle of July by a Small Business Subcommittee chaired by Rep. Neal Smith (D., Iowa). Smith is continuing his investigation, probing the monopolistic impact of the conglomerates on small business.

Thus, many of the coal companies associated with eastern Kentucky's bleak history are falling into oil-gas ownership. It means that Appalachian Kentucky, abused for decades by these coal concerns, is being dragged into oil and gas exploitation without missing a scoop. It means that the same few folks are getting rich and the same many folks are losing out—once again.

Some people in the area argue that, as an industry, oil and gas is preferable to coal. Drilling is far less destructive than strip mining and it certainly presents less of an occupational hazard than does coal mining. But very few local people are employed at all by the gas-oil combines; even the scant return offered the region by pay checks for coal is absent.

Further, since the new fuel miners utilize the same infamous broad-form deeds, the private landholder still has virtually no legal or financial redress. The going rate for having a pipeline laid right through your valuable bottomland is $1 a rod—barely 6¢ a foot. If a well is actually drilled on your surface, and it hits a good strike, you may also receive a royalty payment. The catch there is how much and on what. Kentucky West Virginia claims it pays the landowner "one-eighth of the wholesale price of the gas or oil at the wellhead," but people affected report that they've been unable to get any kind of satisfactory settlement, let alone that much (wellhead quantities and values are conveniently determined by the company itself).

Joe and Susan Haynes live down on Bull Creek on the Letcher-Perry County border. Toward the end of 1968 they were approached by a lawyer for Kentucky West Virginia. "The man said they was going to drill a well on our land, and he said thay had a right to do that. He promised they wouldn't bring any machinery on the place," Mrs. Haynes recalled. Since then, the Hayneses claim, their best land has been torn up by pipeline and a well, and their creek contaminated, killing some fifty hens who drank from it. "And we ain't yet received a penny," said Joe Haynes.

His wife continued: "Once, two lawyers come back and says they'd leave this paper, like it was a big deal to get our four heirs to sign it. One asked the other what the most they could pay us was, and he says '$60.' I said our boys wouldn't sign for that, for $15 apiece. I burnt the paper when they left."

After that, she said, "they didn't ask us any more," and moved onto the land. Finally, the family was offered "about $300." Joe Haynes, whose black lung prevents him from working, is incredulous that "they can stand there tellin' us that $300 is all we can get for all the damage they done here."

The gas company claims that "in 99 per cent" of their dealings they reach "satisfactory settlements," and that the Hayneses are "obstinate" exceptions. If the firm is right, the unsettled 1 per cent must be vocal far beyond their number, for tales of land and water damage done by oil and gas rigs abound throughout the countryside.

Of course, many people have settled and will continue to settle, just as they have with the strip miners. They need that money, and usually have no other place to get it. "My wife, she was real sick, needed that operation bad," explained one 66-year-old man who signed for $300 with the gas company. "Oh, that branch is pitiful now," he said, pointing to the water flowing in front of the house. "Been that way ever since they come in. Now it's just filled with washout from that well. Destruction, I call it. That's all it is."

As a result of gas and oil damage, as well as the continuing outrages of strip and auger mining, residents of the lower end of Letcher County have organized into the "Citizens' League to Protect the Surface Rights." Chairman Joe Begley claims "there's little difference between those oil companies and the strippers. They both come in here tellin' us that they want somethin', and that they're gonna take it, and to hell with us."

Begley and others throughout the mountains hope that the course of the exploitation sweepstakes can be altered before the oil-gas combines get too firmly implanted, but they're not particularly optimistic. Without financial backing, and with the law and the government officials seemingly aligned against him, the average mountaineer—who more than anything else just wants to be left alone—appears to be in for it again. □

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BOOKS & THE ARTS

Are You in the Ketchup Trade Also?

THE CONFESSIONS OF EDWARD DAHLBERG. *By Edward Dahlberg. George Braziller. 312 pp. $6.50.*

BURTON BENDOW
Mr. Bendow is the author of a forthcoming book on the postwar Italian cinema, The Revolution Stops for Orangeade *(Grosset & Dunlap).*

The Confessions is not an autobiography in the usual sense, a history of a life. It is rather a self-portrait, a patchwork of reminiscences, novelistic fragments, sermons and satirical sketches, that serve as a revelation of character. For convenience it may be divided roughly in two. The first part, more nearly fiction, shows off the celebrated Dahlberg style at its latest and best, and so had better be discussed later. The second part, more factual, tells a good deal about how the style was formed. Chapters 24 and onward cover those years, from 1926 to about 1935, when Dahlberg launched himself in the literary world and collided with many other writers and critics, many of them famous. Gossips will be disappointed, however, for he hardly describes these people except as objects of admiration or animus. He is full of himself, and not only by temperament but on principle. He chooses to indulge his feelings—that is his method—and not to write a sober disinterested memoir. Someone offended him thirty years ago and he is still smarting. And it is clear that no offense was intended, that he was and is a touchy man given to brooding over fancied slights and quarreling without cause.

When he takes issue with the literary dogmas of his day, however, his quarrels have a tonic effect. They sharpen his pen, give impetus to his growth as a writer, and determine the course of that growth. His career may be thought of as a long campaign against the prevailing climate of opinion, an effort to purge himself of its influence and invent ideas and forms in opposition to it. What starts him off is the stupidity of speeches like the one below, not really a fair sample of current opinion but a gross distortion of it for the purposes of ridicule:

> Comrades, I'm just a simple garment worker and I don't know anything about literature. Still I confess I owe it to our glorious party and to Stalinist ideology to ask comrade John Dos Passos, who unfortunately is not present, why he wrote the decadent *Manhattan Transfer*. . . . Either the author must write a plain clear prose a cutter, a furrier or a needleworker can understand or else he is an *agent-provocateur,* a Trotskyite, no better than the shopkeeping philosopher Sidney Hook, the enemy of the revolutionary movement, or he must take up a trade.

By the end of the book Dahlberg draws these anathemas down on his own head. Comrades no longer greet him on the street and get no greeting from him. But his objections to "Stalinist ideology" go beyond the usual ones. Or, whatever he may have thought at first, he soon comes to detest all ideology and even to doubt the efficacy of political action. In his later work, while he never ceases to side with the underdog, he is clearly apolitical. The ills of mankind cannot be cured by revolution or reform. They are "from eternity" and inhere in the constitution of the race. They consist of those private miseries that men prefer to conceal and that the advertisements claim to cure in three applications or three easy lessons—how to win friends and influence people, show up the bully of the beach, build a larger vocabulary, achieve peace of mind or the perfect orgasm, stop falling hair, wear a bobbed gentile nose and a dazzling smile. Politics is but another nostrum and not worth his troubling about. He dwells instead on the infirmities of the flesh, which have no remedy.

Also, beginning with a protest against the doctrinaire absurdities of Marxist reasoning, he ends with a grudge against reason itself. Or, more properly, against the belief in reason, in science, in progress, in liberal enlightenment, and in the view of man as a rational creature pursuing happiness through technology. He cultivates the heart rather than the head and, like Rousseau answering Voltaire, celebrates the unfettered play of impulse. But here another form of left-wing orthodoxy challenges him. Rousseau sees the naked man, stripped of clothes and conventions, as a sweet and sportive flower child. And latter-day believers, the misinterpreters of Freud, the champions of free love, bohemians, surrealists and assorted rebels, all advocate defiance of the conventions, release from repressions and a plunge into innocent sensuality. D. H. Lawrence is especially provoking; in his introduction to Dahlberg's first novel, *Bottom Dogs,* he declares that it was written out of disgust with the physical aspects of life. Since an introduction is supposed to boost an author and not tear him down, Dahlberg is justifiably annoyed and even now cannot spare a good word for Lawrence. But he eventually comes to agree with this diagnosis. There is always an element of self-loathing in his accounts of himself, and of revulsion in his view of instinctual man, whom he portrays as a perverse or brutish creature. Dahlberg calls his own *Confessions* "a chant of shame" and his book about love *The Sorrows of Priapus.* Love for him seems to be a torment inseparable from the misfortune of having a physical body, an appetite that he must gratify almost against his will, an inescapable distraction like the urgent need to relieve his bladder.

Lastly, as a writer come of age in the twenties when writers were still presumed to have a sacred calling, he refuses to turn political pamphleteer. Indeed, the arch-villain and chief target of his invective is the "plain clear prose" that a garment worker can understand. At first it is the polemic of speeches and manifestoes that he abominates. But, after his break with the comrades, it is all that is didactic and unfeeling in modern literary language: the expository prose of articles like this one, for example, which handles the subject impersonally, with intellectual forceps; above all the descriptive prose of the novel, as it was then understood, which states the case against bourgeois society by reporting the facts and letting the facts speak for themselves. The Great American Novel of the twenties and thirties was in part an imported product, an application of European realism and social criticism to the native scene. The method was given; the great thing was to chart the new territory. Dos Passos calls his trilogy *U.S.A.,* Dreiser calls his tragedy American, Sherwood Anderson gives his collection of stories the name of a small town in Ohio. Dahlberg knows and admires the last two men. And his *Bottom Dogs* (1930) is inspired by their work and by Dostoevsky's *Poor Folk.* It is more frankly autobiographical than most first efforts of this kind—an account of his childhood sufferings that goes a long way toward explaining his rancor—but still a grimly faithful rec-

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ord of the Midwestern people and places he has known, full of local color and local squalor.

Today, he repudiates the book with characteristic violence. It is a "dunghill fiction," "a dull litany of revulsions—sick ink," written in a "dry stunted jargon" that he learned from "the flunkeys of Baal Peor, the Fact," that is, the practitioners of realism. He adds, "It was necessary for me to reflect the stinks of my age though I defied it. I detest my second and third novels no less than my first." He quits writing novels, declares, "I am my environment," "I am seeking myself," and resolves to create something new.

But he cannot create *ex nihilo*; no mortal can. He needs a model and finds it in *Studies in Classic American Literature*. The theme is familiar, the iniquities of the land of the free—not its present ones but those of its puritan past. The form is congenial, the diatribe disguised as a literary essay. But Dahlberg, who admits his debt to Lawrence very grudgingly, does not adopt the Englishman's brash colloquial tone. In *Can These Bones Live* (1941) he finds a new voice, that of the prophet crying in the wilderness, the voice of the solitary of *Walden* or of Ishmael in *Moby Dick*. And when he finds fault with Melville he goes back to Melville's sources, the King James Version of the Bible and the Elizabethans, and later to the classics of antiquity. In short, he becomes a champion of literary archaism. His "environment" is the library. Chapter 18 of *The Confessions* consists entirely of a "chant of the Logos," a plea for the revival of language for its own sake, for obsolete words, quaint conceits and the old sonorities of rhetoric.

"Be wary of the newfangled scrawl; modern jargon is a whore. . . . I address the wretched brethren of letters who dwell in hapless kinless rooms. . . . What a hailstone of torment and a stroke of misery are existential, confrontation, infiltrate, rationalize, sorted out, and activate. . . . Sing a benedictus praising colewort, pillicock, jillflirt . . . one old galliard word is a ravishing fume of Storax." As for his many allusions to Biblical patriarchs, classical divinities, legendary beasts, and assorted corn spirits and water sprites, they seem to serve much the same purpose: to extol the rich imagination of the past and expose the poverty of the contemporary wasteland. "The tents of Kedar and Job's flock at Uz yield a sweeter savor than the rubber tire, and Zeus's bullocks make them less malevolent than the automobile."

Dahlberg's prose, though magnificent, is not florid. It consists of grand simple assertions, which follow hard upon one another without grace notes or connectives and which have the pungency of proverbs. In large doses it takes on a certain shrill monotony—perhaps because the subject matter is thin, often no more than Dahlberg's crotchets—until he discovers his true subject, himself. He has always thought of himself as a *poète maudit* whose woes were worth recording. And at last, in his 60s, he returns to the autobiographical novel, reworks the material of *Bottom Dogs*, and writes what is undoubtedly a masterpiece, *Because I Was Flesh* (1964). Here the particulars of his early life gave substance to the vague mythologizing; and the mythological allusions, far from showing up modern squalor, invest it with the dignity of the antique. "Kansas City was my Tarsus; the Kaw and the Missouri Rivers were the washpots of joyous Dianas from St. Joseph and Joplin. . . . The bosom of this town nursed men, mules and horses as famous as the asses of Arcadia and the steeds of Diomedes." As for the leading characters, the young Dahlberg and his mother, they are at once distinct individuals, portrayed in all their quirks and oddities, and actors in the long tragedy that began when the race was banished from Eden, one with Job and Mary and the other draped figures of legend.

It may seem strange that an author so intensely self-involved should be able to draw characters other than his own and to regard them with humorous detachment. But he does. By this time he has given up his quarrel with the world—not with the literary world which he still reviles, but the world of his youth as he nostalgically recalls it. He forgives his mother who sent him to an orphan asylum, forgives the man who had her do it, and is generally indulgent to human folly. Moreover, these characters, at first mere sketches in outline, gain in fullness as the novel progresses. In the later scenes Dahlberg puts his own rhetoric into their mouths, or rather he has them utter their complaints in a droll new language that is a still more thoroughgoing mixture of the humdrum fact and the grand style. Perhaps the high point of the book is the long dialogue between his mother and a septuagenarian suitor:

> Lizzie enquired, "Are you in the ketchup trade also? Are you positive, sir, that you don't have an uncle or distant cousin who's a wholesaler in sauces, relishes or cucumbers?"
>
> "Absolutely not. The reason that I did not mention cucumbers is that they remind me of my youth. After all, I was dilling cucumbers for fifty years and, discontented like everybody else in this world, I wished that I had been pickling beets instead. . . . You see I am in the habit of brooding, though I am no great eater myself, for no matter what food you put into your stomach you're sure to get a disease. Peas give you gas, cabbage sours your whole system and one plate of spaghetti is enough to rush one of your relations to a dealer in tombstones."

It is hard to describe the new genre that Dahlberg has invented. Polonius might call it tragic farce or black comedy, though it has no resemblance to those flippant charades that reduce everything in life to absurdity. It might best be called a satire on the human predicament, that of being housed in a body and subject to all sorts of physical indignities. Lizzie Dahlberg's neck is already wrinkled and wrung by age; and her sly queries as to her suitor's financial worth, though as funny as any lines in Molière, reveal her desperation. This walking corpse is her last chance at a man.

To return finally to *The Confessions*: the first and best part of it, "The Prentice Years," is written in this third manner. It is not a complete novel like *Because I Was Flesh*, which encompasses Lizzie's life and ends with her death. It is rather a continuation of the earlier book, a rambling epilogue; it lapses occasionally into the ranting second manner and it ends inconclusively. The hero here is Dahlberg in his early 20s and, to compensate for Lizzie's absence, he is more completely characterized. A bizarre mixture of timidity and arrogance, a wit yet

LAST DAYS OF ALEXANDER

Oracle of Zeus:
Alexander is driven to near-madness
by the death of his friend.
He ordered the doctor hanged;
petitioned through me divinity for the deceased.
Two months he has journeyed
with the corpse of Hephaistion.
Feverish, ill, he does not rest, day or night.
In less than a month he will follow
his other self to the shades.

Gladys W. Ekeberg

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socially and sexually inept, a maker of awkward advances and haughty retreats, a pretender to erudition he does not possess, a prey to conflicting emotions, to desire and disgust, rage and gloom, fits and starts, never two moments the same, he is Dahlberg's answer to all those who imagine that human nature can be ruled by reason or is reasonably consistent and all of a piece. This stripling too is a master of eloquence, and the people he talks to reply in kind. Half-starved, unemployed, and dressed in a scarecrow suit, he innocently presents himself as a prospective son-in-law to an old tailor, first cousin to the garment worker, the pickle dealer, and the other little caricatures of tradesmen that Dahlberg does so well. The old man feels the goods and smells no breadwinner. Then he hears an income in what he takes for the speech of a college grad—it is so copious and learned—but he is soon disabused. "How did you get an educated language? Simply listening to you has made a lunatic of me. I'm so dizzy I forget what we were talking about."

This is the Dahlberg that will be read and reread with pleasure, or so it seems to me—not the fire-and-brimstone preacher of a new aesthetic, who has already been recognized as a candidate for immortality in the literary journals, but the genial author of a new sort of comedy, who is not too serious about his own educated language. □

Pricing Us Into Peace

THE WAR PROFITEERS. *By Richard F. Kaufman. The Bobbs-Merrill Co. 282 pp. $8.50.*

ROBERT SHERRILL

When the legislation to guarantee a loan of $250 million to Lockheed was before Congress a few months ago, there were several notable cave-ins. Rep. Wright Patman, who had started out declaring he would oppose a single penny to Lockheed, wound up voting for the loan (presumably he was suckered into this vote by his Texas chum, Treasury Secretary John Connally). And Sen. Lee Metcalf of Montana, who had been trying to pass himself off as a true foe of the military-industrial complex (hereinafter called MIC), at the last minute turned to Jell-O and cast the deciding vote for the loan in the Senate.

In the midst of that disheartening spectacle, with neo-liberals and neo-Populists falling all around, it lifted spirits to see Sen. William Proxmire, steadfast in the face of heavy lobbying fusillades, continue to shout for an attack.

Read this book and you will know one reason why Proxmire has that fortitude. Acknowledging the Senator's own courage (his successful filibuster against the SST was a personal thing), much of his success has depended on first-rate staffers, among whom Richard Kaufman, as Proxmire's chief investigator of MIC mischief, is one of the most important. If there seems to be a touch of *déjà vu* about his book, it is because most of the authors of MIC books in the past few years borrowed heavily from Kaufman's work as economist-counsel for the Joint Economic Committee, and beat him into print.

Before Proxmire took the chairmanship of the JEC, it had done some good studies of defense procurement under former Sen. Paul Douglas. But when Proxmire took over in 1967 he decided to swing away from Douglas' generalized criticism of the Pentagon budget and to concentrate instead on the individual weapons programs.

It was a remarkably fruitful decision. Out of it came, for instance, the exposure of one of the biggest military procurement scandals of our era—the C-5A. Kaufman reviews the crime here. But that particular story, for all his involvement as a sleuth, is one of the lesser attractions of his book; a fuller and more readable version is to be found in Berkeley Rice's *The C-5A Scandal.*

In fact, there are a number of MIC books that are smoother reading. But none has the kind of authentic, gossipy, "I was there listening through the keyhole" tone of Kaufman's. Like the best of gossips, he keeps his ear cocked for the giveaway statement. For example, "Senator Proxmire asked what [former Budget Director Charles L.] Schultze meant by 'when the President feels that he can effectively question military judgment.' Schultze replied, 'Question military judgments, yes, but in the basic environment of the cold war and the postwar era; question military judgments to the point where the President will possibly face a major [political] attack on the grounds of undercutting the security of the United States, no.'" Nowhere on record has a member of the White House staff ever before, or since, admitted that the cold war itself must never be questioned. Nice.

Quite often Kaufman's book outdoes competing MIC studies, with its uniquely penetrating stench of corruption. Such as:

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"On one contract for launcher loaders, the platforms from which the Nike missiles are fired, Western Electric sent invoices to the Army totaling $16.4 million, including its profit of just under $1 million. What had Western Electric done for its fee? The bulk of the $16.4 million was the price paid by Western Electric to its subcontractor, Douglas. Western Electric's direct costs incurred on that contract were only $14,293, 'for checking over the equipment at Army bases.' Thus Western Electric was able to parlay a $14,293 expenditure into a $1 million fee, a profit of 6,684 per cent." Douglas, in turn, pocketed $1.2 million (after expenditures of $3,316.21, for a profit of 36,000 per cent), and passed the subcontract work to Consolidated Western Steel Company, which earned $13.5 million. In other words, nearly one-fifth the total cost of the equipment was nothing but brokerage fees skimmed off the top.

The War Profiteers is especially good at putting some current problems into historical perspective. Why does the General Accounting Office, supposedly Congress' bookkeeping watchdog, seem so timid? Kaufman traces this tendency back to some hearings in 1965 before a subcommittee headed by Rep. Chet Holifield. The hearings were intended to soothe the military industrialists, who were upset because in its investigations of war profiteering the GAO had been using such harsh words as "overcharges, unnecessary costs, wasteful practices, improper charges," and these—heaven forbid—were encouraging adverse publicity. Kaufman concludes: "The hearings had whacked the GAO in the head, and in some ways it has still not recovered. Its reports, never considered permanent contributions to the world of literature, have been purged of most of the 'colored' and 'sensational' language that the contractors complained of. Now the reports bear titles like 'Need for Improving Administration of the Cost of Pricing Data Requirements of Public Law 87-653 in the award of Prime Contracts and Subcontracts.' Nothing sensational about that, and further, one can read that particular report from cover to cover without finding a trace of a contractor's name."

For some reason, Herbert Roback, who is Holifield's man on the Government Operations Committee staff, had some nasty things to say about Kaufman's book when he reviewed it for *Air Force Magazine*.

One can quarrel with a book like this only for the sake of a grudge, or for practice. In the practicing temper, I would prefer that Kaufman hadn't been quite so easy on the Renegotiation Board, which is supposed to make a select group of military industrialists pay back their excessive profits. The board is a fraud. Kaufman admits that it may be deceptive, but that's as far as he goes—perhaps because, when he was working for Rep. Henry Gonzalez, he turned out so many speeches in defense of the board and now he doesn't want to admit that this was all time wasted.

Most puzzling of all, however, is Kaufman's treatment of former Defense Secretary Robert McNamara. At one point he quotes McNamara in such a way as to make him sound like a dangerous sap, but otherwise Kaufman is very gentle with the bureaucrat who, in my opinion, personifies what is and has been evil in our government for the past decade.

Kaufman is unable to supply the reader with any hope for evolutionary improvement of the MIC's corrupt genes, but he does give us cause for a perverse kind of contentment: at least the evil alliance is no worse today than it was in World War I, when the government sometimes sold to private profiteers for a few dollars the multimillion-dollar war factories and shipyards *even before they were built.*

Indeed, the only real hope Kaufman hints at may germinate from the corruption itself. He says the same airplane that could be built in France for 150,000 man hours may take as many as 1 million man hours to build in this country. The military industrialists are pricing themselves out of business. Even people like Senator Stennis are complaining about it. When the day comes that an $80 billion Pentagon budget provides only half a dozen fighter planes, one sub and a blimp—the arms industry will have priced us well along the way to peace. □

Romanticism in the Ghetto

S.R.O. By Robert Deane Pharr. Doubleday & Co. 569 pp. $7.95.

JERRY BRYANT
Mr. Bryant is the author of The Open Decision: The Contemporary American Novel and Its Intellectual Background *(Free Press). He is at present working on a study of fiction written by black American authors since World War II.*

Instead of getting angry and resentful when whites suggest that all "Negroes" have rhythm, can run fast, and possess extraordinary sexual prowess, most blacks now proudly agree. And many whites, instead of smirking condescendingly, observe these alleged attributes with envy. Nothing demonstrates the tremendous shift in our values in the last twenty years better than the way both black and white Americans have come to regard the black world. When Richard Wright wrote *Native Son* in 1940, the slum that created Bigger Thomas was a fetid prison, narrow and brutalizing, producing ignorant, inarticulate victims who knew only violence and self-hatred. The great dream was to escape into the white world. Now we have stopped calling these areas "slums"—or even "ghettos." They are "inner cities." They are full of problems, it is true. But we have come to view them as centers of a unique and worthy culture, with its own values, its own morality, its own language. To live in these centers—or at least to be from them—is a mark of special distinction. What used to produce shame and a crippling sense of inferiority, is now the basis of black pride and a sense of worth bordering on complacency.

Robert Deane Pharr's second novel, *S.R.O.* (his first was *The Book of Numbers*), arises from these new assumptions. His narrator-hero, Sid Bailey, checks into the Logan Hotel in Harlem after an epic three-week drunk. The Logan is an SRO hotel—single-room occupancy. It is a very special kind of hotel, and for Pharr very symbolic. It is a condensed version of Harlem, and all the inner cities across the land. In its rooms live whores and junkies, Lesbians and homosexuals, winos and bums, the flotsam and jetsam of society, collected here in the backwater of America. Thirty years ago, even ten years ago, this picture would have quivered with the agony and the hopelessness of these sad creatures. Pharr, however, sees the Logan—and the black ghettos it represents—as the beginning of a spiritual revolution that will transform America.

The Logan Hotel is the place where God, who is dead, is going to reappear. The reason is simple. Respectable white society, which includes both black and white—with its tight morality of duty, work, thrift, self-denial—is death. The residents of the Logan joyfully violate this morality, rejecting duty, avoiding work, and ritualizing self-indulgence with the heroin fix or the wino drunk. Theirs is a fantasy life which Pharr takes to be indispensable for blacks who are prisoners of a white society. Life at the Logan does have its defects. The "born" junkies,

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who constitute the most important symbolic aspect of the Logan, are "selfish unto sickness; congenitally unable to relate to anyone else's hopes, problems, or aspirations; [and display] an unholy inability to concentrate." Yet, they contain the seed of creativity and rebirth. In taking junk, they "sin," and sin is a life-giving defiance of whitey and his whole jail house of rules, virtues and prohibitions.

Sid Bailey arrives at the Logan as one of whitey's voluntary prisoners. An utter naif, he still believes, at 40, in the possibilities of the American dream. But Sid is in a bad way, nearly paralyzed by "whiskey and bad women," and, we are to assume, his square allegiance to the white ethic. As a resident of the Logan, he is an alien. Fate seems to have brought him here in order to change him into a new being.

The main agency of this change is a pair of romantically sentimental characters—Sharlee and Sinman. Sharlee is a preternaturally beautiful goddess of exotic lineage: "Dutch, Javanese, Iranian Mandean out of Boston." Sinman, her worshipper, is a young white man who has become black in spirit. Both take heroin, but unlike the "born" junkies, they are free. They *use* drugs, they are not used by them. They are the vanguard of a new world, the pure defiers of whitey's respectability, and the models of the black community, to whom "a new god will be born." Through them Sid realizes his transformation. When they die (as they must, since their purity is too rare to be long preserved in this world), Sid buries them with hushed piety. Now clear as to his future, he returns to his woman (the junky-whore Gloria), his manuscript (he's a writer, of course), "and the pulsing harbor of more life which is God's sole reality."

There is an imaginative energy to this thesis, just as there is to the proposition that the ghetto and the blacks who live in it contain strengths that can inject new life into our rigidifying society. But Pharr's qualifications of the values of the Logan Hotel are not emphatic enough. Beneath the vitality of ghetto language and the increasing sense of brotherhood and community there are still open sores and dreadful suffering. Pharr glosses over these realities; he romanticizes his ghetto. Most of the time, the Logan's residents are bathed in the comforting hues of Disney's nature films, in which the violence and the dispassionate brutality of the brute world are turned into harmless entertainment. Blind Charlie, Sinman, Crazy Mary, Kingfish—charming names, lovable characters. There is a little bit of Damon Runyan in them, or Langston Hughes's Simple. True, Pharr does have them practice violence, and there is a lot of blood. But it all seems to be backed up by hidden orchestras playing Stravinsky or Mozart or *The Irish Washerwoman*. Poverty and disease? They "were never victorious in the Logan for the simple reason that the Logan never allowed sad hearts to remain sad for long."

We have heard this thesis before, and unless the novelist produces a form which uniquely embodies it, we are not going to be very much moved. Pharr has not yet done that. But there is an outrageous irony and an effective good-humored bitterness in his best writing. He has an acute eye for detail and an instinct for shaping a sentence. When he abandons the interminable, pseudo-philosophical arguments in which his characters indulge, and jettisons the affected romantic language that is inappropriate to those characters, he will be a substantial writer. □

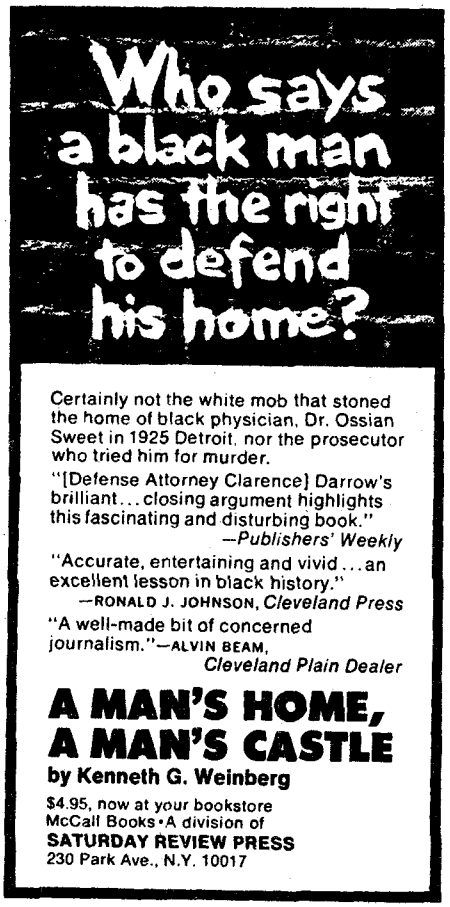
What Other Kind Is There?

THE CASE FOR PARTICIPATORY DEMOCRACY. *Edited by C. George Benello and Dimitrios Roussopoulos. Grossman Publishers. 386 pp. $15.*

ARTHUR LAPAN
Mr. Lapan lectures at Cooper Union and has published many articles on cultural and social issues.

In this collection of essays the authors adopt, collectively, a comprehensive approach to participatory democracy. It is the spirit at the root of the theory which is emphasized again and again. Men are ends and not means, centers of value, subjects. The nondirective counseling of Carl Rogers, the educational theory and practice of John Dewey, small group sociology, and Quaker and Gandhian nonviolence share, according to Martin Oppenheimer, the assumptions of participatory democracy as much as do the Yugoslav system of decentralization and self-management (discussed in an excellent article by Gerry Hunnius), the Israeli *kibbutzim*, the Paris Commune or the original soviets. I suppose the same thing could be said about an indefinite number of other enterprises—for example, generic social work practice or the Socratic dialectic which, after all, was wholly nondirective and allowed the subject to develop his own contradictions.

The writers are at some pains to stress that a nondirective posture toward people is at least as efficient as a coercive one, particularly if we consider the person as a whole. For James Gillespie, worker control of the work place can be more effective precisely because it is more democratic. Occupations which require neither skills nor participation have the effect of reducing the workers' interest in social affairs, in sport and in religion. Benello and Roussopoulos cite studies indicating that the general run of unskilled work is so alienating that it often results in mental illness. But participation is possible only in small groups; the larger the organization, the more superfluous the person. According to Arthur W. Chickering, as the number of persons increases in relation to a given task or setting, a smaller proportion participates, the activities and responsibilities of those who do participate become less varied and more specialized, persons with marginal ability are left out, evaluations become invidious rather than functional, hierarchies of prestige and power develop, and rules become formalized and rigid.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The studies of Roger Barker and his associates bear this out. They found that students in small schools held seven times as many responsible positions as those in large ones, held twice as many different kinds of responsible positions, and were under much greater pressure to participate. Their evaluations of themselves were based on their contribution to the school and their own level of competence rather than their relative standing in comparison with others, and there was less reliance on vicarious satisfactions. The same pattern obtained in small communities as against larger ones. Barker and his associates studied four Midwest towns ranging in population from 450 to 1,150, and two Midwest cities with populations of 23,296 and 101,115. In the towns, adolescents constituted 28 per cent of the working force, in the cities 15 per cent. And adolescent participation in professional and business enterprises was 187 per cent more frequent in towns than in the smaller city. The younger adolescents participated more in church activities and other organizations outside of school than did the city boys and girls.

I suppose that Bruno Bettelheim's well-known study of North African children in the *kibbutz* could be cited as an instance of the effectiveness of participatory democracy. North African children in Israel are generally behind children of European descent in academic competence. In the case of North African children raised in the *kibbutz* the disparity was wiped out. It makes one wonder whether decision making by workers at their work place, and participation in the making of policy, might not have some effect on the academic competence of their children. What, for example, would a study of the children of Yugoslav workers prior to and after the instituting of decentralization and self-management disclose in this connection?

The book also makes an effort to establish a theoretical basis for participatory democracy. Don Calhoun challenges the view that man is essentially egoistic; in love, in play, in mutual aid, in empathy, in commitment, he sees the deepest elements in human beings. In this connection, a study of political participation in five countries by Gabriel Almond and Sidney Verba indicates that a positive attitude of trust and confidence in one's social environment is correlated with childhood participation in family decisions, in school decisions, in job decisions, and in political life.

C. George Benello extends the theoretical ground for participatory democracy. Decision making in its most complete form, he believes, is found in the group, and studies again by Almond and Verba argue a correlation between group discussion and informed political opinions. Small groups can also provide a basis for authority which is neither arbitrary nor alien, and thus offer a solution to the general problem of coming to terms with authority. It is the small group which is the locus in which the harmonizing of individual and social purpose can take place. Modern mass democracies based on an egoistic market ideology do not confront the problem of social purpose. In them society becomes fragmented and a climate of lawlessness develops. It is then that such totalitarian movements as the Soka Gakkai, the John Birch Society, the Black Muslims and the Communists are likely to emerge, for they do have group goals with which the individual can feel himself identified. A society composed of small face-to-face groups, on the other hand, would be able to preserve individual freedom and at the same time recognize the reality of groups as the basis of social organization.

In John R. Seeley's article, the theory moves toward a radically different epistemology. Knowledge is grounded in participation, and we no longer have an active, independent knower and a passive and independent to-be-known. On the contrary, the knower is embroiled with the to-be-known, and that is the case whether we study ourselves or advanced physics. When we study ourselves, the embroilment alters man both as knower and known; and the knowledge that emerges alters both further. In this way we create ourselves and each other, and that fact, for Seeley, opens the door to an infinite expansion.

But how is an entire society to be changed in consonance with the spirit of participatory democracy? Changes cannot be made without power, but are the methods of participatory democracy suitable for the achievement of power? The second half of the book deals, accordingly, with specific political strategies.

The writers are agreed in rejecting an authoritarian and bureaucratic society such as the Soviet Union and the methods which predictably arise in such a society. Methods must be consistent with goals. The problem of building a new order cannot be pushed into the future and seen as a post-revolutionary one. So Dimitrios Roussopoulos discusses the commune as opposed to the party cell as the unit of a movement working for change, and what a commune must be like to function as a successful center of resistance. For Sidney Lens, methods of change must also be appropriate to the historical present, and he argues that the changes which have occurred in this century have made much of traditional Marxism obsolete. Above all, there must be a consciousness of our common humanity and a decision that men must unite together to struggle together to destroy the conditions of their common oppression. This is Staughton Lynd quoting Greg Calvert, and it is indeed a searching standard by which to judge the truth and adequacy of movements that claim to be advancing participatory democracy. □

THEATRE

HAROLD CLURMAN

On the Town, the hit musical of 1944-45 with book and lyrics by Betty Comden and Adolph Green and music by Leonard Bernstein, has just been revived at the Imperial Theatre. It is not the equal or the equivalent of Offenbach, Gilbert and Sullivan or *The Threepenny Opera.* So what? Kurt Weill is not the equal of Schubert, Sullivan of Lecoq, Offenbach of Mozart: one might go on like that forever till all were eliminated.

On the Town is dated. So too is Johann Strauss. Stravinsky is not as up-to-the minute as Stockhausen. Again: so what? All art is the product of a specific time and place. True quality, on the exalted or on the modest level, is never replaceable. The simple fact is that Bernstein's music for the show, whatever one's estimate of it, is in every way superior to virtually every score of the successful musicals which have reached Broadway for years. It *is* music.

I found the show fun. Its chief attraction is its bounciness. It leaps, giggles, cavorts, grows dreamy with youthful zest and innocence. It doesn't do these things as we do them today. One can nonetheless savor its quality anew—especially as there is very little in musical comedy at present which has any savor at all beyond the undifferentiated scuffle of rock and roll.

Such a number as *Carried Away,* with its delightfully childlike abandon, contains the very essence of Comden and Green's ebullient good nature. And Bernstein has known how to translate it into sound, similarly fresh. One needn't be nostalgic about it. Its very difference from the contemporary brouhaha is a mark of its individuality.

Comparisons are odious. What I remember most vividly about the original production, which was more lilting and relaxed in its sportiveness than the current one, is the enchantment of Sono

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Osato's face, physique and dancing. It is not Donna McKechnie's fault that she is only very nice when viewed in the light of Sono Osato's very special being. Miss McKechnie, who dances admirably, could be dressed and given a hairdo which would set her off to greater advantage: she is certainly attractive enough.

The men—the three sailors on the town—are adequate. The most "romantic" of them, Ron Husmann, has an especially good voice. Phyllis Newman has an alluring figure, beautifully bright eyes, a gift for mimicry of the absurd. Bernadette Peters as the eager, down-to-Tenth-Avenue-earth girl hackie is priceless: she has exactly the right kind of prettiness, the saucy verve and, despite all the stress on the character's New York raciness, something so close to purity that it approximates pathos.

I noticed Miss Peters first in *George M.*, as Cohan's sister Josie. She seemed then to spring right out of the Cohan epoch—America's more recent age of innocence (1900-17). After *Dames at Sea*, which was a parody, and as an acting "problem" a pushover for this comedienne, she appeared all too briefly as the little Italian waif in a musical version of Fellini's *La Strada* in which she revealed a lyric quality within the "peasant" gamine that might be developed to greater importance and qualify her for roles with larger demands than those provided in light entertainment.

I mention this because Miss Peters is now only 23 and I observe that she is pushing or being pushed toward making her various charms into an unmistakably reliable commodity, something to be advertised even when the rapture is gone. That is the danger: that she may become a perfect "type" and cease being an actress. When a player rises to the status of a Broadway or a Hollywood "personality," he or she ceases to be a person: the counterfeit steps in. It happens again and again.

Last season I voted a special award to *The Basic Training of Pavlo Hummel* and marked its author, David Rabe, the most promising new playwright. I am glad to report that his second play, *Sticks and Bones* (Public Theatre) confirms my favorable opinion of his talent.

Sticks and Bones, though written in a vein different from that of the earlier play, is a kind of sequel to *Pavlo Hummel*. It is bitter and powerful, peppered with acrid humor and all the more disturbingly impressive on that account. It appears at first to be a realistic drama, but is in fact a grim "fantasy." It reminded me to some degree of the expressionist plays the Germans were writing after the First World War. But the Germans were apocalyptically hysterical; *Sticks and Bones* is savagely ironic. It has a cold, hard bite. With very little outward violence, it stings and wounds.

It might be called "The Soldier Returns." Into the cartoon family headed by Ozzie and Harriet of TV fame, the elder son David comes back from Vietnam blind. Papa Ozzie and mama Harriet epitomize the happily average American lower-middle-class couple. They ignore their son's injury as if it were a trifling disability, hardly more than a scratch. It would seem that they are duty bound to be perpetually "glad." At first one is incredulous: no such family exists. But soon enough it becomes evident that this picture of the "booboisie" is satirically symbolic.

Mama is devoutly Catholic and always as sweet as pie; papa is addicted to the "box," though its sound apparatus never works. Rick, their younger boy, strums the guitar and is forever consuming fudge and milk. His home life consists chiefly in a dash to the kitchen, a hurried meal and out again to the street. His only positive contribution to the family's well-being is to photograph everything, including his brother's tragic homecoming as if it were a sport.

David is haunted by the memory of the girl he left behind, a serene Vietnamese, the only solace from the hellish cruelty which has scarred him for life. Dumped back into the domestic lap, he feels isolated. His parents are strangers to him. His boyhood, he now realizes, was a construct of deceit. For papa, superficially a most humdrum and foolish citizen, is as frustrated and made as miserable by the platitude of his life as David is crippled by the experience of war.

The portrait of Ozzie—profoundly alienated from his wife with whom he has no contact apart from routine amenities, unable to address anything meaningful to Rick's nonentity, and resentful of David's contempt—is one of the play's most original strokes.

Ozzie, Harriet and Rick want above all to avoid hearing anything about the war, or about any other unpleasantness, including all mention of intimacy with any of the "filthy yellow race." David's insistence on bringing home to them the unspeakable brutality of what he has seen in Vietnam becomes a sadistic reprisal against his family, the emptiness of their lives and their obdurate evasion of everything real. His new consciousness, ruthless in its violence, drives them frantic.

The final scene is the most telling. As "realism" it is quite impossible; it is a ghoulish metaphor stated as a kind of joke. In a tone of affable reasonableness Rick advises David to commit suicide. Since the blind youth offers no resistance, his brother does the job for him very carefully by cutting his wrists. David is not dead, Ozzie says, only "nearly dead." David's Vietnamese girl, present as a wraith throughout the play, whom Ozzie has finally been made to "see," is laid prone on the floor covered by a blanket. Vietnam is erased from the family's conscience.

The play is well cast with Tom Aldredge as Ozzie, Elizabeth Wilson as Harriet, Cliff DeYoung as Rick, and David Selby as the soldier—the slight smile under the dark glasses which cover his blinded eyes is like a hurtful gash across his face. Charles Siebert is effective as a priest in a stabbingly comic scene in which the man of God tries to maintain his clerical largesse while David repeatedly hits him with the stick by which he guides himself.

Jeff Bleckner has directed the cast with fine intelligence, but I am not sure that the almost naturalistic setting and lighting are exactly right for the

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play: one is led to suspect that what occurs is to be taken literally, in which case some of the play's writing becomes too self-conscious, too overtly expressive. Perhaps some oddity of design might have established its proper key. Still, I am not certain on this point. It may be that the play's transformation of a commonplace environment into a chamber of shocks and hallucinations does after all induce the more insidious shudder. In any case, *Sticks and Bones* offers an unusual evening in our theatre; it is unlikely that we shall have others of the same nature or distinction this season. □

FILMS/Robert Hatch

Alexandro Jodorowsky's *El Topo,* the most celebrated of the midnight cult movies, is now playing a regular stand at a Broadway popcorn theatre. It is a very strange picture (and very long), but not I think as formidably difficult as the reports from both its champions and its detractors had indicated. Overall, that is. Jodorowsky, who also plays the title role, is a man obsessed by metaphor and legend, and the symbols come so fast and from so many directions that trying to digest the film episode by episode becomes an exercise in mental gymnastics, with the viewer—at least this viewer—always a couple of jumps behind the author-director. I'm sure that by seeing it a second or third time one could fit more of the fragments into the mosaic. This has been recommended, but I don't know that I would advise it, for I'm not convinced that Jodorowsky's vision is as original or illuminating as his imagery is prodigious.

"Topo" is the Spanish word for "mole," and a note at the beginning of the film says that the mole is a creature who digs through the earth in search of the sun—which when he attains its light, blinds him. This has about it a pleasant ring of mystical fatalism, but it is not true on the zoological level, and most dubious on the symbolic level, there being no instance of which I am aware in which a seer was blinded, body or spirit, by the light of a surpassing truth. In any case, the proposition does not seem to be demonstrated by the development or denouement of *El Topo* (though for a considerable stretch of film the hero is engaged in an ambitious tunneling operation). Something more on the order of Darwinian idealism seems to be in store, but worked out in terms of butchery rather than of science.

El Topo appears first as a gun-toting, leather-clad nemesis on horseback in the Mexican desert. He dispatches, with maximum expenditure of blood, a band of mad outlaws who have massacred a village and raped a monastery. He thereupon abandons a naked young boy (carnal innocence?), takes on a couple of ladies who I thought might be Eve and Lilith, and proceeds deeper into the desert to defeat in single combat four mountebank hermits. Having thus prevailed over the powers of the flesh and those of the spirit. El Topo is himself brought to the brink of death, but recovers to find himself the idol of a troglodyte tribe buried deep in a mountain that overhangs a one-horse Sodom, owned by what appear to be old *Daily Worker* caricatures of the moneyed class and policed by an obese and homosexual sheriff.

Now in the guise of a zany saint, El Topo, with a dwarfish female assistant from the cave, goes into the diseased town for supplies and begins the herculean task of digging the human race out of its entombment. He impregnates the girl, whose love for him is revealed when the rabble forces them to copulate on the barroom floor for the amusement of the gentry. He meets his double, who springs to kill him. However, he persuades this stranger, a priest, to assist in the digging, and soon thereafter the buried folk come tumbling down the hillside, to be massacred by the obscene inhabitants of the town. There El Topo also dies, but at the same moment his child is born, and in the last scene the double rides off with woman and child on the saddle behind him—presumably in search of mad bandits who deserve a killing.

I have left out more clues than you could find in a pack of tarot cards, but the thesis seems to me clear enough. Man is born in corruption and ignorance, struggles for virtue and truth, fails in the attempt, but leaves his seed to perpetuate the quest. Life is not being, but becoming—a great wheel of potentiality that never arrives but never ceases to roll. I fancy I've encountered this dubiously comforting hypothesis before, though never couched in particulars as violent and hysterical as those employed by Jodorowsky. It occurs to me that the picture as a whole—streaming with blood and screaming between laughter and terror as the flesh rips—is intended as a metaphor for birth. Its excesses become somewhat numbing as the minutes pass, but perhaps that is the mercy that makes the process of giving birth endurable.

Jodorowsky is a serious man and something of a wizard with the camera. Looked at abstractly—which is possible because the brutality is as synthetic as it is extreme—the film is very beautiful. And it is so prolific of astonishments as to be mesmeric. Jodorowsky overindulges his powers of free association, swerving off to develop (often ingeniously) every fancy of his teeming mind. This makes his legend more turgid than rich; it also cloaks in bizarre showmanship a somewhat banal metaphysics.

Norman Mailer is another director-writer-performer who inclines to let his pictures go where fancy chooses. Indeed, in *Maidstone* he raises this inclination to a principle: that improvisa-

A PASSERBY, I WITNESS AN EXECUTION

Brat, you seem to know the procedure,
your inveterate cruelty is well performed.
I watched you entice the minikin burrower
as he begged alms along the Canyon rim.
You amazed me with your exquisite precision,
your laconic lunge and that fine flinching of wrist
as you tossed him over the edge,
scraping as Kong down the Empire, falling,
victim of your immaculate execution.
Your golden American matriarch watched,
opaque visionary, model of popular opinion,
abhorring the force of Arizona storm clouds.
Her proud laughter bit a hole in my vision:
I saw tongues of fire burning, scathing.
Your knickers and arabesque mother defeat me.
Antipodes, the glare of your Cadillac
wipes clean the sole of my hiking boots.

Raymond Nadeau

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tion leads to truth. The idea is to bring a number of people together in promising surroundings (in this case a series of estates on Long Island), give them the governing proposition, and allow them to work out the solution for themselves —inspired, presumably, by the spectacle of Mr. Mailer doing his thing with boxing glove, strong drink and aggressive hats.

It is too bad that he is persuaded a movie can be made by this fun-and-games, picnic method—he would scarcely invite a horde of acquaintances to ad lib a book he was writing—because at last he is on to a really good idea. It is the iconoclastic notion that, in these malign days, only some quite extreme type of ego freak is capable of becoming, and surviving as, the President of the United States.

In *Maidstone* the ego freak is one Norman T. Kingsley, a film director whose name is inevitably (by him) linked with those of Buñuel, Fellini, Dreyer, et al., and whose pictures have earned him a hysterical national following—principally, one gathers, from among the very young and very impressionable. Kingsley is about to make a film as the film opens, and is interviewing a number of young women, from whom a lucky few will be chosen to impersonate patrons of a male whorehouse. Meanwhile, in the solarium of the summer mansion a group of politicians, publicists and tycoons is trying to decide whether to run N. T. Kingsley for President or to assassinate him as being a clear danger to the national interest. They decide to kill him (but don't) and he tries to get on with his picture (but doesn't).

Very little acting gets done, though a great deal of energy is spent, and long before the end it is apparent that—for all his beef, bravado and talent for insulting women—Mailer has not the faintest notion how to order his ideas for visual presentation. He boasts that his understanding of the female sex is infallible, and that is a statement hard for a man to dispute. But obviously his knowledge of actresses is fallible indeed; or at least his knowledge of how to get them to act. Those he selects are well formed and strong featured (anyone can make that sort of choice), but in front of his gang of cameramen they are dull with their clothes on and even duller in the nude.

Mailer as Kingsley strips off his shirt, scratches his chest hair, practices his notorious snarl, glowers at people who are conspicuously unimpressed, and in general overcompensates for the fact that he is not 9 feet tall. This *could* be an impersonation, but he has made enough pictures now so that one can say that with Mailer it is *the* impersonation. Meanwhile, the cast wanders about, enjoying the luxurious grounds and getting into occasional hassles in the shelter of the ornamental shrubbery, and the picture drifts off into Long Island Sound.

It comes back to attention (though not to focus) at the end, when Rip Torn (playing Kingsley's brother) takes a hammer to the great man and they engage in a bloody wrestling and biting match. This scene was famous long before the picture was released, it having been put out that Torn had gone berserk and tried to cripple Mailer for real. Maybe so—it looks real enough—but I'm a little suspicious of spontaneous mayhem with camera and sound equipment so strategically at hand. What I liked, though, was the fact that, once they had been separated, Mailer's complaint against Torn was that he had made a father look savage and uncontrolled before his own children. That is the humane and creative side of Mailer. □

ART

LAWRENCE ALLOWAY

Two of the big paintings done for the U.S. Pavilion at Expo 67 in Montreal have been shown in New York recently. At the Metropolitan Museum there is Barnett Newman's "Voice of Fire," 18 feet high and too tall for any of the galleries of the Museum of Modern Art where his retrospective exhibition is on view until January 10. I plan to discuss this major event in a future column. At the Museum of Modern Art, Jasper Johns's Expo painting was on view in the Founder's Room. Called "Map (based on Buckminster Fuller's *Dymaxion Airocean World*)," it is an elaborate statement of themes developed in the last seventeen years by an artist whose work is neither realistic nor abstract. Johns's subject is pre-existing signs and systems of signs and this holds true for his paintings of targets, the Stars and Stripes, numbers, words and maps.

In the early 1960s he painted four maps, of which Max Kozloff observed that in them Johns was "playing with the notion of measurement, in which the locked-in diagrammatic 'in scale' dimensions of map images are contrasted with the virtually gratuitous dimensions of painterly gestures." The first map is a tiny picture belonging to Robert Rauschenberg, the second is a flurry of red, yellow and blue, the third is monochrome, and the fourth is a combination of both color schemes. The second disregards the state lines freely, but the third follows the arbitrary boundaries conscientiously. These maps are all of the United States, but the new one at the Modern is a world map and correspondingly larger. It measures 15 feet high and 30 feet long and is painted in triangular sections derived from Fuller.

The map's central point of reference is the North Pole, and the world is arranged around it in accordance with Fuller's definition of the Arctic as the shortest route between the 12 per cent of the world's population in the Americas and the 88 per cent who "dwell in the Asia-Europe-Africa quadrangle." Johns's version of it is densely painted in a mix of encaustic, pastel, charcoal and collage. Within an overall gunmetal gray base color are place names stenciled in color (mainly, but not consistently, they radiate from the Pole) and bits of collage. These include a winter scene from a comic strip with "BRRRRR" in a speech balloon, an allusion not only to climate but to a 1960 painting by Andy Warhol.

In appearance the painting is ungainly, splayed jaggedly on the wall, taking its form from Fuller's triangulation. This is not, I think, a failure on Johns's part; on the contrary, it is a part of his move away from the elegant paradoxes of his early work to a brute style, of which this unruly painting is a climax. At the museum, as at Expo, the map was hung flat, but the work has a potential for three-dimensional presentation that has not been used. The original version was hinged so that it could be folded to project forward. It would be an awkward object to manipulate, but

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OLD WOMAN AND THE WAR

The conch shell's wall, wheel's hub, moon's rim,
any spoke of asterisk
seems to disappear
like her face switched into darkness
routinely loved by what it touched in circles.

What it touched in circles:
the conch shell's wall and secret fish,
flounders on the moon,
any stalk of sorghum blown
like blind, old lace minutely sewn
over the days of its growing.

Over the days of her growing,
a conch shell's horn summoning believers,
shrines and gatherings of light.
Any look can ransack the events,
a plundered garden and a buried face
routinely touched by what it loved in circles.

Moon walls, sun's wheel, the conch shell's voice
mustering new armies, routinely felled
and somewhere loved in circles of the word.

Colette Inez

Johns's provision of this option seems to be part of his insistence on exceeding the canon of wit and subtle painting with which he started.

Johns stayed close to Fuller's map in the form of its projection and in color, which was coded according to climate. It has now been repainted and, Johns says, "I applied colors purely arbitrarily." The map as given by Fuller is both followed and opposed. The divisions of Fuller's system are translated by Johns into separate sections, so that shaped canvases give bulky form to a purely linear projection, a paradox typical of Johns. In fact the picture seems to pun on the word projection, as the cartographic sense of the word as systematic representation on a plane surface is turned into its physical sense of protruding or extending. The repainted version stresses the distinctness of each section rather than its modular seriality by means of discontinuities of color between sections.

Despite his fidelity to the form of the *Dymaxion Airocean World* map, Johns makes systematic departures from it. A map is analogous to something in the world and the painting is analogous both to the map and to something else in the world. He jettisoned, as mentioned, the color coding of climate, but it returns in another form. Johns's map is a representation of things seen as well as measured. Maps have been used in painting before this, of course, notably in Dutch genre painting of the 17th century, where they usually belong in one of two complexes of meaning. Either the meaning is mercantile, in which case the map, taken in conjunction with imported objects, links the room to the world via Dutch trade routes; or it is emotional, in which case the map, taken in conjunction with letter writing or reading by solitary female figures, implies separation. But Johns's is the first painting I can think of in which a map is accommodated to landscape. The varied paint textures, dominant stretches of indeterminate mineral color, with shreds and flashes of color and detail, evoke a voluminous space. Thus the theoretical form of a map is partially dissolved into the optical values of a landscape.

Johns has exploded the measured space of the map to present a physical configuration of the planet. The glimpses of continents with superposed place names and the turbulent paint skin resembling storm systems add up to the world view from an orbiting satellite. The successive aerial views, transmitted or collected by satellites, are pieced together by NASA or the meteorological bureau in mosaic patterns similar to Johns's matching but jumpy sections. This penetration of sign systems, the projected and the photographic, is reminiscent of fragment 648 in Wittgenstein's *Zittel*: "One language-game analogous to a fragment of another. One space projected into a limited extent of another. A 'gappy' space." And gappy space is an apt term for Johns's tough, restless later paintings. □

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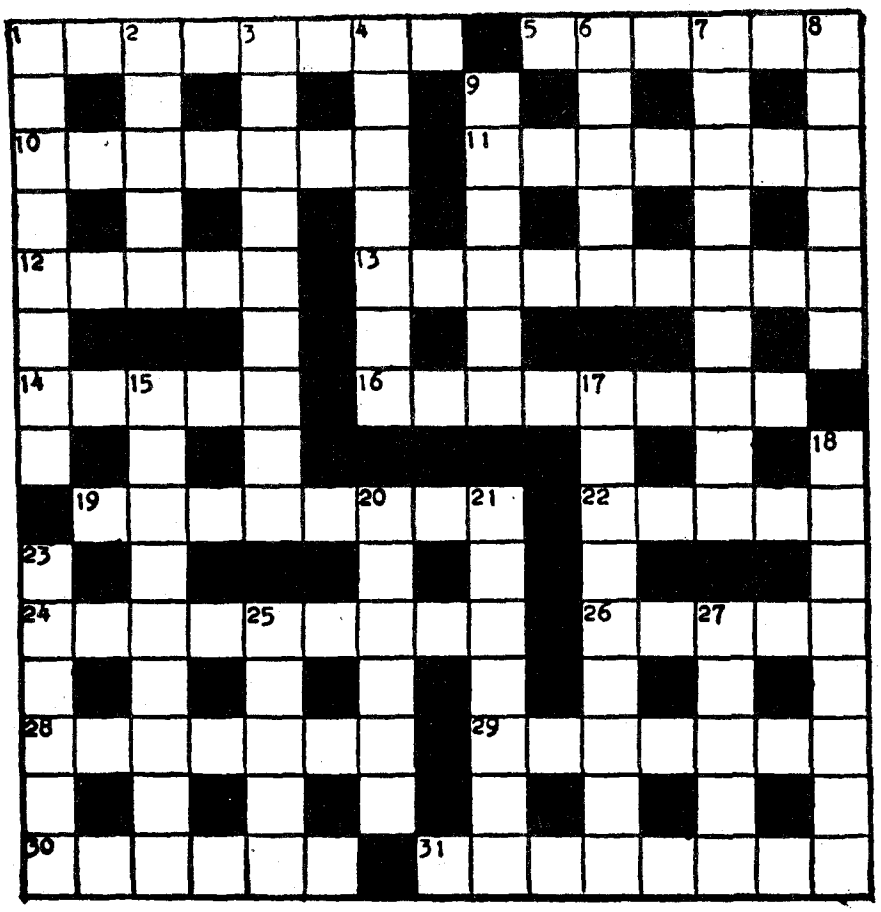
Crossword Puzzle No. 1417

FRANK W. LEWIS



ACROSS

1 Evidently what's inside keeps one happy. (8)
5 and 9 down What one shouldn't tell a common man's undercover men? (6,6)
10 The French have a number of old Italian football players, with a greater number carrying on, probably with some words. (7)
11 31, when young, seems to be giving David some advice. (7)
12 Such a body of law could be round. (5)
13 One who fights, or just argues about it? (9)
14 Such a one would combine human and capric qualities, and possibly stray. (5)
16 What bus tours might have when the remainder quit. (4,4)
19 and 31 across Instead of dressing, you might use this—it's reputedly the same for the male line, as well. (5,3,3,5)
22 A bow should be more effective with it —(5)
24 —and if you really want to make a bow, you might consider this. (9)
26 One that toasts at the table might appear unexpectedly. (3,2)
28 Who stuck the fork in Miss West? (An early act, obviously.) (7)
29 I evidently make a good chess move around it, but copy someone else. (7)
30 See 20 down
31 See 19 across

DOWN

1 Not exactly 20 and 30, but one might settle for it. (4,4)
2 A negative comment on one of our national figures? (5)
3 One wouldn't expect such a person to travel in the usual circles. (9)
4 Brown on top, with upraised framework, possibly carrying fluid of some sort. (4,3)
6 Girl of the novel *Sierra Madre*. (5)
7 Did they fall on top of Butch Cassidy? (9)
8 Blind spots of Prohibition? Cheers! (6)
9 See 5 across
15 They're logically found on one side. (9)
17 Punishing children for being so big? (9)
18 Broken pens at this place put in a circle. (8)
20 and 30 across Do they appear on the cold storage company's statement? (6,6)
21 Would a China bowl be so tinged? (7)
23 *The Graduate*—female type? (6)
25 Why the musical group didn't go fishing? (5)
27 Responsible for the philosophy of showing zero on the map? (5)

SOLUTION TO PUZZLE NO. 1416

ACROSS: 1 and 10 Observation tower; 9 Half; 11 Axis; 12 Sundial; 13 Offices; 15 Deflated; 16 Rating; 18 Blades; 21 Enfeeble; 24 Decorum; 26 Angered; 28 Taxi; 29, 5 and 17 Take a turn for the better; 31 Water meters. DOWN: 2 Befuddled; 3 Extract; 4 Vows; 6 Okapi; 7 Nature; 8 and 30 Pigeon-toed; 14 Adder; 19 Leeway; 20 Shuttle; 22 Fondant; 23 Lieder; 25 Ouija; 27 Skim.

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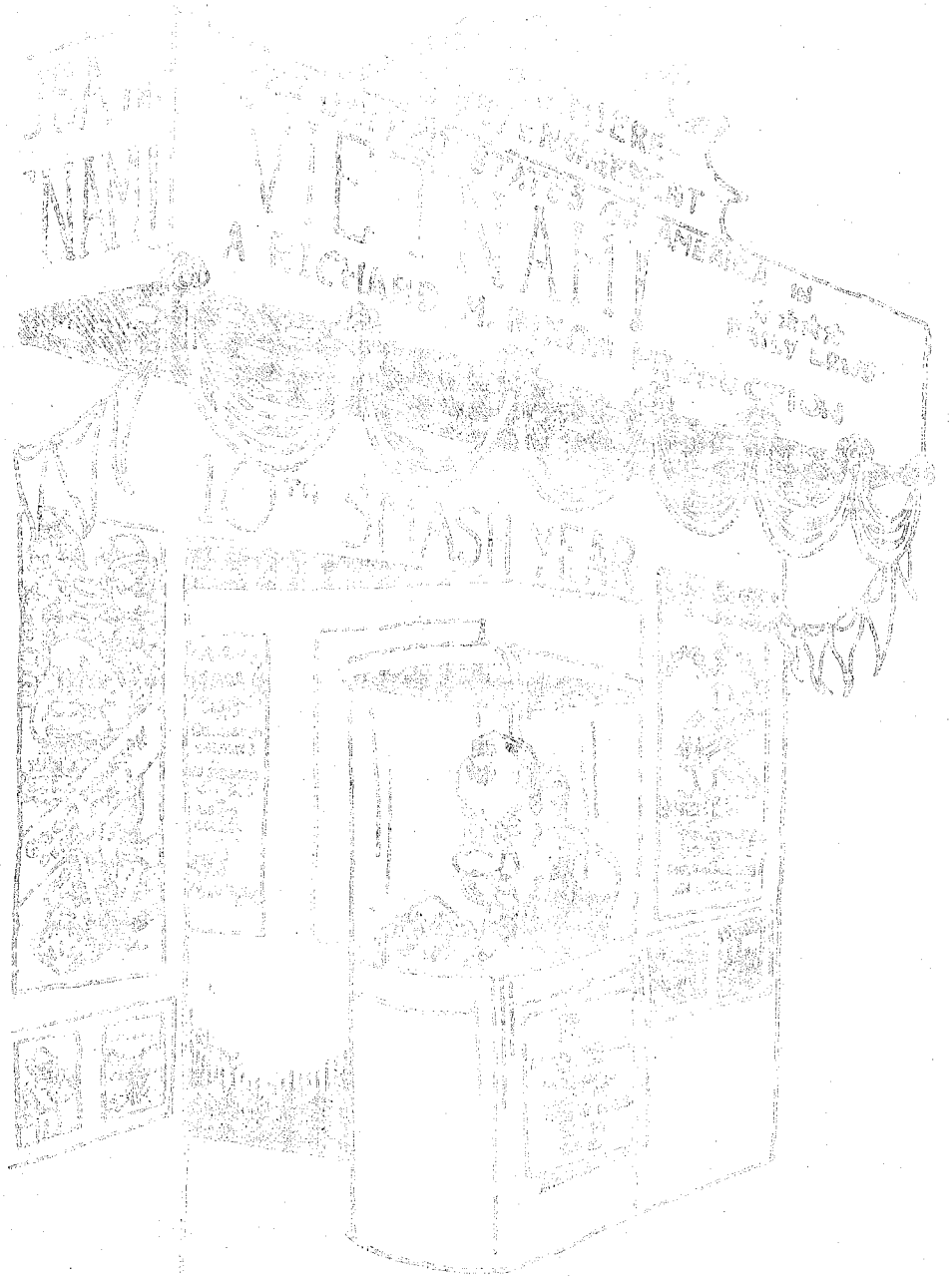

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